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OFFICIAL REPORT
(HANSARD)

Tuesday, April 15, 1997

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, April 15, 1997

The House met at 10 p.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 17 petitions.

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COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, as Chairman of the Standing Committee on Public Accounts, I am pleased to present the seventh report of the Standing Committee on Public Accounts.

Our committee examined chapter 23 of the report tabled by the Auditor General of Canada in November 1996, dealing with materiel management in the federal government. The report contains eight recommendations.

I merely wish to draw your attention to the following paragraph which, I think, accurately reflects what we wanted to say. The procurement and use of materiel is one of the federal government's costlier activities. It is therefore of vital importance that this activity be properly managed in order to keep costs to government and the taxpayers who fund it to a minimum. At the same time, these resources have to be intelligently managed in order to ensure that they deliver maximum value.

Pursuant to Standing Order 109, the Standing Committee on Public Accounts is asking the government to table a comprehensive response to this report.

[*English*]

FINANCE

Mr. Ronald J. Duhamel (St. Boniface, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 11th report of the Standing Committee on Finance.

[*Translation*]

Pursuant to the order of reference made on April 10, 1997, the committee approved Bill C-92, an act to amend the Income Tax Act, the Income Tax Application Rules and another act related to the Income Tax Act, and agreed to report it as amended.

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[*English*]

CONSCIENTIOUS OBJECTION ACT

Mr. Svend J. Robinson (Burnaby—Kingsway, NDP) moved for leave to introduce Bill C-404, an act respecting conscientious objection to the use of taxes for military purposes.

He said: Mr. Speaker, it is an honour to introduce this private member's bill known as the conscientious objection act. The purpose of the bill is to permit individuals who object on conscientious grounds to paying taxes that might be used for military purposes to direct an amount equivalent to a prescribed percentage of the income tax they pay in a year be diverted to a special account established by this bill.

• (1010)

The bill would not constrain in any way the ability of government to spend tax dollars as it sees fit.

In introducing this bill I would like to pay special tribute to Conscience Canada Inc., particularly Orion Smith and Kate Penner, to the Canadian Yearly Meeting of the Religious Society of Friends or Quakers, the Mennonite Central Committee and the Conference of Mennonites, et aussi, Nos impôts pour la paix.

A great deal of work and thought has been put into this bill. I hope it will commend itself to members of the House and that it will be adopted in this Parliament.

(Motions deemed adopted, bill read the first time and printed.)

PETITIONS

HIGHWAYS

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, I have a petition sponsored by the Canadian Automobile Association concerning the federal gasoline tax for cars. The petitioners want to see that money used for the rebuilding of national highways.

THE SENATE

Mr. Bill Gilmour (Comox—Alberni, Ref.): Mr. Speaker, I have three petitions to present. The first petition comes from people across British Columbia and states that the undersigned bring to the attention of Parliament the fact that British Columbia has a senatorial selection act which allows for the election of British Columbia senators.

They also draw attention to the fact that the British Columbia Senator Len Marchand will resign his seat in the Senate shortly. Therefore, these petitioners call on Parliament to urge the Governor General to appoint a duly elected person according to the forthcoming vacant British Columbia seat in the Senate of Canada.

TAXATION

Mr. Bill Gilmour (Comox—Alberni, Ref.): Mr. Speaker, the second petition from concerned citizens across British Columbia contains 138 signatures. The petitioners believe that the existing 7 per cent GST is unjust taxation of reading materials and they urge the government to demonstrate its support of education and literacy by eliminating sales tax on reading materials.

REFERENDUMS

Mr. Bill Gilmour (Comox—Alberni, Ref.): Mr. Speaker, I am pleased to present the following petition from constituents in my riding of Comox-Alberni. It contains 2,400 signatures and brings the total number of signatures from my riding to over 10,000.

The petitioners request that Parliament allow Canadian citizens to vote directly in a national binding referendum on the restoration of the death penalty for first degree murder convictions.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Paul Zed (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I wish to advise that Question No. 106 will be answered today.

[*Text*]

Question No. 106—**Mr. Milliken:**

How many inmates were double-bunked in correctional facilities as of December 31, 1996?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.): As of December 31, 1996, there were 4,445 inmates in federal institutions who were double-bunked (two in one cell) out of a total inmate population of 14,264.

[*English*]

Mr. Zed: Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE

The House proceeded to the consideration of Bill C-55, an act to amend the Criminal Code (high risk offenders), the Corrections and Conditional Release Act, the Criminal Records Act, the Prisons and Reformatories Act and the Department of the Solicitor General Act, as reported (with amendments) from the committee.

SPEAKER'S RULING

The Deputy Speaker: Copies of the ruling are available at the table for Bill C-55.

There are four motions in amendment standing on the Notice Paper for report stage of Bill C-55. Motions Nos. 1 to 4 will be grouped for debate but voted on separately. I will now submit Motions Nos. 1 to 4 to the House.

MOTIONS IN AMENDMENT

Mr. Art Hanger (Calgary Northeast, Ref.) moved:

Motion No. 1

That Bill C-55, in Clause 4, be amended by replacing lines 11 to 15 on page 3 with the following:

''752.1 (1) Where an offender has been convicted of a serious personal injury offence defined in section 752 and, on application by the prosecution, at any time during the time the offender is serving the sentence imposed for the offence, the court is of''

Motion No. 2

That Bill C-55, in Clause 4, be amended by adding after line 40 on page 4 the following:

''(1.1) Notwithstanding subsection (1), where an offender has been convicted of a serious personal injury offence defined in section 752 and has previously been convicted of such an offence, the court shall find the offender to be a long-term offender without an application being made in that regard.''

Motion No. 3

That Bill C-55, in Clause 4, be amended by replacing lines 17 to 28 on page 6 with the following:

''fend if the offender has been convicted of

(*a*) an offence under section 151 (sexual interference), 152 (invitation to sexual touching) or 153 (sexual exploitation), subsection 173(2) (exposure) or section 271

(sexual assault), 272 (sexual assault with a weapon) or 273 (aggravated sexual assault);

(*a*.1) an offence under subsection 160(3) (bestiality in presence of or by child), section 170 (parent or guardian procuring sexual activity), 171 (householder permitting sexual activity by child) or 172 (corrupting children), subsection 212(2) (living off the avails of prostitution by a child) or 212(4) (obtaining sexual services of a child);

(*a*.2) an offence involving a person under the age of eighteen years under section 155 (incest) or 159 (anal intercourse) or subsections 160(1) and (2) (bestiality and compelling bestiality);

(*a*.3) an offence involving a person under the age of eighteen years under section 144 (rape), 145 (attempt to commit rape), 149 (indecent assault on female) or 156 (indecent assault on male) of the Criminal Code, chapter C-34 of the Revised Statutes of Canada, 1970, as they read immediately before January 4, 1983; or

(*a*.4) has engaged in serious conduct of a sexual nature in the commission of another offence of which the offender has been convicted; and''

Motion No. 4

That Bill C-55, in Clause 8, be amended by replacing line 27 on page 12 with the following:

''fifteen years from the day on which that person''

He said: Mr. Speaker, I am pleased to discuss more criminal justice matters, specifically Bill C-55 and the need to toughen the law when it comes to release of offenders and the designation of certain offenders, especially violent offenders.

There is no question we need some substantive changes in the sentencing procedures as well as in the area of incarceration.

• (1015)

In a way prisoners have it too good on one side and on the other the line is not clear, if they step over it, on what should happen to them or what could happen to them. As a result there is a certain arrogance that has developed within the prison population of those who are bent on committing a lot of crime. There is no punishment within the correctional system. It is obvious this attitude would manifest itself in the lives of so many offenders and so few have their attitudes corrected in the system as it exists.

That has been evident to me as my colleagues and I have travelled across the country and have stopped in at various prisons in Canada. Some of us have been to the United States and looked at some of those prison procedures and methods of incarceration, but we are talking about Canada and the attitude of prisoners in Canada.

Are the politicians of the day doing what is best not only for the country, for the community, for the innocent, but also for the prisoners themselves? For the most part I would have to say a resounding no. The politicians of the day and the government of the day, the Liberal Party, certainly are not doing what they should be doing to curb the attitude of the criminal.

In response to their view of what should be done and to the outcry from the public, the justice minister brings forward Bill C-55. When we look closely at the bill it appears to be doing the right thing. It is incremental in its scope as far as change is concerned but ultimately it is not really coming close to what has to be done when we look at the rate of victimization in the country from the hands of those who are constantly reoffending.

My first motion seeks to deal with the dangerous offender application and to bring about the provision that would allow the crown to give notice at the time of conviction of an application review. What we are seeking to do is have that review take place at any time during the offender's release.

I have had an opportunity to look through some of the more recent convictions of offenders who have been released. After they have served their sentence or a portion of their sentence they have been released. All the reports clearly point to the fact that they are going to reoffend. Yet because of the present provision the law does not allow for a dangerous offender application to go forward after they have been incarcerated. It has to be done at the time of sentencing.

That is an injustice because many times when offenders are released back into society, they immediately reoffend and are put back into the system again. That is at a great cost to the taxpayer, but then an unnecessary victimization is taking place because the crown or the government, corrections Canada, has chosen not to make that application at the very front end. There should be a provision to make an application of dangerous offender at any time during the incarceration of that offender.

I looked at some offences that took place in my own riding. I am going to make mention of one in particular, a fellow by the name of James Tocher, a pedophile. As far as I am concerned a pedophile is a dangerous offender, but there is no provision for that classification in Bill C-55 presented by the justice minister.

The justice minister for one reason or another has failed to expand this whole area of dangerous offender.

• (1020)

Mr. Tocher has been charged on numerous occasions with pedophilia. The last account was for three young boys he attacked in Calgary this year. He is subject to sentencing. He is a former hockey coach and he made these attacks, these manipulations, very carefully. Unfortunately pedophiles are very devious people in the sense that they manipulate their way so that they can get a hold of children almost at anytime.

Since 1984 Tocher has been in and out of prison. He would spend a few months in prison, be released for a few months more after reoffending and then be released and reoffend. He has been before the courts five or six times and all basically relating to the same thing.

After the second time I would suggest that this man should not walk the street, and yet this is the case. He has been in and out, in and out, and no application made. It is often the case that the crown will not proceed in that fashion because it costs too much. The cost of victimization and revictimization is much higher than what dollars and cents would be to hear the case and make an application for dangerous offender.

A man like Tocher should be classified as a dangerous offender right off the bat or at anytime during that first sentence served. Once he has served his sentence and it is clear that he is going to reoffend, the application can be made again and his time extended and extended if necessary.

That is one of the other provisions that we had made in our review of this legislation, as an amendment, that after 15 years if it is clear that this person is a dangerous offender and is going to reoffend then at that time there would be an opportunity for review, not in the short order provisions that have been placed by the justice minister on Bill C-55 where he has extended it from three years to seven years. We would like to see the review take place after fifteen years of time served.

I have colleagues who are going to speak to this area to a much greater degree. My colleague from Surrey—White Rock—South Langley will certainly do that.

A third point that we feel is very necessary and again dealing with dangerous offenders is the sentence served upon second conviction of a personal injury offence would be an indefinite one. The subject has not learned his lesson the first time. By being subjected to a second offence and through the court hearing it would be an automatic indefinite sentence and a minimum service of time of 15 years. We are designating that as two strikes and you are out. In California is a law where there is a three strike provision which has certainly targeted a small element of the criminal society. It has put them under a restraint that takes any violent offender out for life. This is one area that we would like to see extended into our provisions in the Criminal Code. Here is the opportunity for the Liberal government to do exactly that.

I want to quickly point out that when it comes to long term offenders we would like to see that list of offences include many of the sexual offences and especially sex crimes against children. Those are our four amendments. My colleagues are going to deal with each one of those in a broader context. I am trusting that the Liberal government and those in this House will take consideration of what has been provided for here and vote in favour of the amendments.

• (1025)

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I wish to respond to the motions which have been put forward by the hon. member. I wish to address these amendments as a group. I believe that would be the appropriate way to deal with them. They are all amendments to the dangerous offender and long term offender components of Bill C-55.

A new long term offender procedure which targets sex offenders is central to Bill C-55. Equally important are the changes that Bill C-55 proposes to the existing dangerous offender procedure. I suggest that Bill C-55 significantly increases the ability of prosecutors to obtain very long sentences against sex offenders and of course gives the courts the authority they need to impose these long sentences.

Bill C-55, in its present form, has received widespread support from victims rights groups, from prosecutors and from the police community. Many of the witnesses before the standing committee said that Bill C-55 is a major improvement.

What the amendments which the hon. member proposed try to do is expand the dangerous offender and long term offender procedures, but they do so in a simplistic way and in a way which would distort these carefully crafted measures and potentially lessen their impact.

Let me give an example. One of the amendments would postpone the initial parole review of a dangerous offender until 15 years into the sentence. Bill C-55 sets the date at seven years. The current law is three years. In other words, the government has found a middle ground between the Reform Party amendment and the status quo. There is good reason for this.

The Supreme Court of Canada has ruled that a parole review is especially important when we lock someone up for an indeterminate period. What is a reasonable period to make the offender wait before the initial parole review? In fact, no one gets out after only three years. Not very many get parole after seven years either. This is comparable to the waiting period for parole eligibility of sentences for very serious violent offences. That is why the government chose to set parole ineligibility at seven years.

The courts would not allow a waiting period of 15 years. It would be struck down as conflicting with the charter of rights.

Let us examine another of the proposed amendments. It proposes that an offender convicted of a second serious personal injury offence or perhaps even a broader list of offences would automatically be found to be a long term offender, without any special application being made. In other words, it would be two strikes and you are automatically out.

The Reform Party has taken the well designed, long term offender procedure in Bill C-55 and undermined the entire structure of this measure in an effort to get its cherished two strikes and you are out law on the books.

Let us spend a moment on the long term offender concept so that we can all understand the importance of this amendment. First, the idea came from a report by a federal-provincial task force on high risk offenders which federal and provincial justice ministers endorsed. The long term offender concept is a way to get at serious repeat sex offenders. It allows the court to add up to 10 years of intensive supervision to the sentences of sex offenders. Moreover, if the crown does not get them with a dangerous offender application, it would probably succeed in getting a long term offender designation. Indeed, Bill C-55 gives us a double barrelled weapon against sex offenders.

The long term offender concept has also been seen as involving a special process, a special application, a thorough assessment of risk and an intensive hearing that goes beyond the normal sentence hearing. We need this special process partly because there is the prospect of locking this offender up for a very long time.

We also need to have a detailed assessment of risk. The long term offender rules allow a 60 day assessment by a range of experts. We need to have this special hearing so that the pattern of offending can come out in court and so that the extent of the offender's criminality can become fully evident.

• (1030)

The amendment in question does violence to the very nature of long term offender procedure by making everything automatic. Every offender would be subject to a long term offender designation without distinction. The pattern of past offending would not come out and the court would lack the information it needs to judge risk and impose the appropriate long term supervision period.

An automatic long term offender finding is so unselective as to be arbitrary in its use. It would encounter serious charter problems. The long term offender procedure as set out in Bill C-55 is structured to work hand in glove with the dangerous offender option.

If the criminal is not found to be a dangerous offender, in many cases he can easily be designated a long term offender in the alternative. I prefer a double barrelled effective option to the Reform's scatter gun ineffective approach.

Let us call the proposed amendment the son of Bill C-254. It would allow a dangerous offender application to be brought at any time during the sentence of an offender. This is very close to a recent private member's bill by the member for Surrey—White Rock—South Langley. It was examined in parallel to Bill C-55 by the Standing Committee on Justice and Legal Affairs.

It is safe to say that Bill C-254 received absolutely no support from the two dozen witnesses who appeared before the committee. Unlike Bill C-55 it was defeated in committee for very good reason, I might add. Allowing a dangerous offender application to be brought years after the offender has been sentenced is unconstitutional.

Bill C-55 creates a six-month window of opportunity beyond sentence whereby the crown, having given notice to the convicted person, can reserve the right to seek a dangerous offender ruling within a few months of conviction. It can only do this when new evidence comes to light.

By contrast, the Reform Party amendment would wreak all kinds of unconstitutional havoc. Offenders would be sitting around for years wondering if the dangerous offender application might be brought against them, even though according to the charter of rights everyone has the right to know what the penalty will be for the crime.

The courts will not allow the criminal justice system to resentence offenders for the same conduct. The four amendments are not helpful. Together they seek to widen the net of dangerous and long term offender measures and in so doing weaken both.

If implemented, the amendments would catch small fish in the net and lessen our ability and our resources to deal with the most serious offenders. The government has taken an extensive and profound amount of time to get Bill C-55 right. I wish the Reform Party had done the same.

It is very typical of Reformers to bring forward amendments to legislation, to promote legislation in public which has no hope of meeting the tests of constitutionality. If they brought forward the amendments they talk about, there would be serious violent offenders and serious sexual offenders taking advantage of unconstitutional laws and wasting court time. There would be no effective measures to use against them in the end.

In contrast, the government is bringing forward measures that are effective, enforceable and constitutional as another part of the package to ensure safe homes and safe streets.

As has been said on many occasions, the government has acted forthrightly and sternly to bring forward amendments to the Criminal Code. More amendments or more changes to toughen up the criminal law have been brought in the last 3.5 years than in the history of the nation .

We have seen the results. A reduction in the crime rate is one. It is also a result of taking a broad based approach to social justice and jobs, in addition to measures in the criminal law to bring about a decreased crime rate.

I urge the Reform Party to look at the results and to promote laws that are constitutional.

● (1035)

[*Translation*]

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, I thank you for allowing me to speak at report stage of Bill C-55.

The members for Prince-Albert—Churchill River and Calgary Northeast have raised interesting arguments. We will be looking primarily at Motion No. 3, which warrants particular attention, because it aims at amending section 753.1 of the Criminal Code, and more specifically subsection 2.

The section concerns applications for declarations of long term offenders, that is, people presenting risks. I do not think that, in its bill as presently worded, the government goes far enough when it sets the criteria the court is to decide on to determine the risk of an individual's reoffending.

Thus the government says that the court shall be satisfied that there is a substantial risk that the offender will reoffend, if:

> —the offender has been convicted of an offence under section 151 (sexual interference), 152 (invitation to sexual touching), or 153 (sexual exploitation), subsection 173(2) (exposure) or section 271 (sexual assault), 272 (sexual assault with a weapon) or 273 (aggravated sexual assault)—

or has:

> —engaged in serious conduct of a sexual nature in the commission of another offence of which the offender has been convicted.

I consider the bill falls particularly short where it says ''engaged in serious conduct of a sexual nature''. I think the terms should be clarified. In this regard, Motion No. 3 before us goes a lot further, because it defines in large part and limits the entire notion of the conduct of a sexual nature the court may consider serious.

Thus Motion No. 3 would oblige the court to consider the behaviour of a sexual offender serious when the person has been convicted of an offence under

> —section 151 (sexual interference), 152 (invitation to sexual touching) or 153 (sexual exploitation), subsection 173(2) (exposure) or section 271 (sexual assault), 272 (sexual assault with a weapon) or 273 (aggravated sexual assault).

or has been found guilty of

> (a.1)—an offence under subsection 160(3) (bestiality in presence of or by child), section 170 (parent or guardian procuring sexual activity), 171 (householder permitting sexual activity by child), or 172 (corrupting children), subsection 212(2) (living of the avails of prostitution by a child) or 212(4) (obtaining sexual services of a child).
>
> (a.2) an offence involving a person under the age of eighteen years under section 155 (incest) or 159 (anal intercourse) or subsections 160(1) and (2) bestiality and compelling bestiality).
>
> (a.3) an offence involving a person under the age of eighteen years under section 144 (rape), 145 (attempt to commit rape), 149 (indecent assault on female) or 156 (indecent assault on male)—

At the end is added, and that the person: ''has engaged in serious conduct of a sexual nature in the commission of another offence of which the offender has been convicted''.

So, as we can see, the list proposed in Motion No. 3 is much more comprehensive than what constitutes a serious offence of a sexual nature, since the list is not limited to the three or four offences identified in Bill C-55 at the moment.

● (1040)

Committing bestiality or compelling children to do so seems to me to be extremely serious conduct of which the court must take account, and the present wording could allow an argument to the effect that it was not so serious, since it is not so described in the bill's proposed wording of section 753.1.

The official opposition and I feel that Motion No. 3 greatly improves the guidelines that will be used by the courts to determine whether a person is an offender requiring supervision. In this sense, we must strive for precision in our criminal law, in our Criminal Code, in order to ensure uniform application of the law throughout Canada.

We do not have the time to wait for the Supreme Court to rule, in five, six, seven, eight or ten years' time, that such delinquent sexual conduct is highly unacceptable conduct that should normally be taken into account by a lower court.

We can determine right here in the House of Commons, the ideal forum in which to do so, what we consider to be serious delinquent conduct of a sexual nature that must be taken into account by the court. We can do this here, without leaving it up to the courts to decide, as the present wording of section 753.1 would have us do. The definitions of delinquent sexual conduct, as proposed by the hon. member for Calgary Northeast, are therefore a step in the right direction for counsel and also for the courts called upon to enforce these provisions following royal assent and passage of this bill. The official opposition will therefore be voting in favour of Motion No. 3.

[*English*]

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, it gives me some pleasure to speak to Bill C-55, although I feel the government's response to dangerous offender legislation falls far short of what it should be.

In my 3.5 years in this place I have concentrated a great deal of my time and energy in looking at dangerous offender legislation, its shortcomings, and ways we could improve upon it. I introduced a private member's bill to the House in the first session in April

1994. It passed unanimously at second reading and then was buried in committee by the Liberal government for over two years before it was dealt with when Bill C-55 came into play.

The hon. member for Prince Albert—Churchill River made some inaccurate statements in the House earlier when he said that none of the witnesses at the committee studying both Bill C-55 and Bill C-254, my private member's bill, supported my bill. He is correct in that the Liberal members of the committee did not support any element of it. They completely gutted it and refused to bring it back into the House for consideration.

There were witnesses that did support it. I would like to give representation from the committee that studied the two bills. I quote Chief Julien Fantino of the London Police Force who said that Bill C-55 and Bill C-254 were significant steps in the right direction and that high risk offenders must be differentiated from the rest of the inmate population and handled accordingly.

He went on to say:

> If a person is deemed to be so high risk, so dangerous and so likely to reoffend, I quite agree there ought to be some state imposed controls and conditions, some governance of such an individual, to the point where communities are absolutely guaranteed that person will not constitute a risk to anyone.

I will share some evidence from Professor Hart and Professor Hare from Simon Fraser University and the University of British Columbia who are experts on violent offenders. These men have spent their careers studying dangerous offenders and psychopaths. I will share some of the comments of Professor Hare to the committee. He stated: ''The evidence was very strong that the psychopathic offenders in fact did not follow the pre-release plans. They did not follow the rules and regulations of the program. They were violating them all the time''.

● (1045)

Professor Hart went on to say: ''—psychopaths commit significantly more violence overall, but they actually commit very different kinds of violent offences as well—psychopaths tend to make decisions quite quickly to commit violent crimes that are instrumental for economic gain or other reasons. It's not simply a result of strong emotional arousal or things like that—you find they are actually much more violent and violent in a different way''.

Professor Hare goes on to say: ''Their violence is predatory, planned, premeditated, dispassionate and cold-blooded when compared with the intense emotional arousal that often leads to a violent act for the rest of the offenders''. They are speaking about the 15 to 20 per cent of the population that can easily be assessed as psychopaths.

I want to go on to what the victims of violence groups had to say. Mr. Sullivan stated: ''It is unfortunate that the committee could not have dealt with the bill sooner,'' speaking of Bill C-254. ''It would have been very valuable had the committee dealt with that two years ago rather than waiting for Bill C-55—Bill C-254 is not whether or not it is a good idea. I hope we can all agree that it is a good idea. Strictly on a public safety platform this bill would save lives. Make no doubt about it, this bill would save lives''. He is not talking about Bill C-55. He is talking about my private member's bill C-254.

He goes on to talk about the charter. He talks about who the charter is protecting, the victims or the offenders and took very great exception to the argument that Bill C-254 would not survive a charter challenge.

It was very clear from the testimony of many of the witnesses that they fully supported an attempt by this government or any other government to identify—and they can be easily identified—those 15 to 20 per cent high risk offenders who do not respond to treatment, who are not likely to be able to go back into society and lead meaningful lives. One of the experts in these matters said that you can detect with the same accuracy a psychopath as you can that treatment for a heart condition is going to relieve angina pain. I would suggest that heart patients are not going to refuse treatment, the angioplasty or whatever, if the high percentage of them know that it is going to help them.

The witnesses supported this government or another government taking a much stronger stand in keeping dangerous offenders, the 15 to 20 per cent who are a high risk of reoffending, off the streets; not long term offenders, not giving them an extra six months after the time of sentencing, but when they are identified right up to the last year of being released from prison, of being designated or of allowing the system to keep those high risk offenders off the street to protect our society from people who have been tested and who have been selected as individuals who cannot be treated, who cannot be trusted to not reoffend.

When questioned by the committee on how reliable was the test and when can we start using it, we were told that it is very easy. The success rate for juveniles age 13 and 14 is just as great as it is with adults. The testimony of the expert witnesses suggested that you have a much greater chance for treatment of a juvenile who has been assessed than you do with an adult and that rather than wasting the resources on trying to change the behaviour of an adult, where you are not going to succeed, those resources should be placed where they can do the most good.

There is no question in my mind that the government, as it has done with many other pieces of legislation, has taken the easy road. The legislation is not prepared to do what it should to protect society.

• (1050)

The government is fooling itself when it claims to be making all these substantive changes in the justice field, for example, in the Young Offenders Act and the areas of sentencing and high risk offenders. It is fooling itself if it thinks those changes will make a meaningful difference in society.

In the next few weeks and months people will have to make a decision. They will have to decide whether the government's weak approach to all these issues is what they want or whether they want a government that is solely committed to the protection of society. Unless I am naive, I thought that was what government was all about. I thought government was governing for the people, that it would make sure the majority of the people in society were being cared for and provided for and that their protection was being guaranteed to them.

I did not come to this place thinking we were here to make sure a few people were going to get preferential treatment, that the offenders were going to get better treatment than the victims, that high risk offenders were going to be put back out on the streets to reoffend, to cause more grief and heartache for innocent victims in society. I assure the House that is not why I came here. That is not why I have spent three and a half years trying to get the government to understand the concerns of Canadians.

Canadians want somebody to be concerned about them. They want a government that will look after them, their wives, their children, their families, not the 15 to 20 per cent high risk offenders who have committed violent, vicious acts, sometimes murder, sometimes not. The emphasis of government should be on the protection of society.

This legislation needs to be amended. If the amendments we are presently dealing with at report stage will help in any way to add some weight and protection to society, then members should consider them. The government had an opportunity three years ago this month to deal with this issue but it chose to sit on it for over two years before it brought in other legislation. It did this in order to take credit for being concerned about the needs and the protection of society.

This is a joke, the government is a joke and the people will have a chance to change that in the next coming months.

Mr. Ed Harper (Simcoe Centre, Ref.): Mr. Speaker, I am pleased to participate in the debate this morning on Bill C-55 which deals with high risk offenders. In preparing to do so I was struck with the fact that if we had tougher laws and if we had dealt more seriously with violent offenders earlier, many of them would not be in the position they are in today.

While Bill C-55 has some improvements, it is really a half-hearted response to the demands of the Canadian people for tougher action on criminals. When I hear the response of the government about its concern for legislation that will pass the charter, it is saying there is more concern in that area than there is for the safety of Canadians.

I know the government has to be aware of the consequences of any legislation but nevertheless the message that is going out is that it is giving the benefit of the doubt to criminals rather than to law-abiding citizens. That is the environment or the thinking that is evident on the other side when it is preparing legislation to deal with changes to the criminal justice system.

This is a major concern of Canadians. Next to unemployment, Canadians are concerned about safety in their homes, in their streets and in their communities.

• (1055)

I recall in my home city of Barrie during the 1993 election campaign that three residents in my community were murdered. The impact that it had back then was very significant. As a matter of fact, an accused is now just being brought to trial. That reinforced the fear that exists not only in my community but all across Ontario and Canada for the safety of law-abiding citizens.

The government is failing in what is a major responsibility to our people, that of protecting the life and property of law-abiding citizens. Should these citizens ever become victims they discover to their horror that they are failed again. They discover the difference between their rights and the victim's rights. I applaud my colleague from Fraser Valley West who has put forward his private member's bill dealing with the rights of victims, something that is long overdue.

Earlier I said that this bill was a half-hearted response by the government to deal severely with violent offenders. If we want to look at a half-hearted response I do not think there is any better example than Bill C-45. It dealt with violent people in our communities. The lack of commitment to deal with violence is shown in that bill, which is really the bill that introduced two-tier killers. If you are convicted of first degree murder of one person you are eligible for parole but if you kill more than one person you are not. That is not what Canadians are looking for. If you take a life, whether it is one life or more, you should do your full sentence of 25 years.

It raises the question: Who do we work for? Are we here in the House of Commons to represent our voters? Reformers are. We are here to represent our voters. We ask our voters questions and we listen to what our voters say.

I want to share the voice of my riding of Simcoe Centre. I want to share the responses to the householders I have sent out with questionnaires dealing specifically with the criminal justice system. The first was a survey dealing with section 745 of the Criminal Code, the faint hope clause. I did this survey in the spring of 1995. Section 745 of the Criminal Code allows convicted first degree murderers to apply for early release after serving only 15

years of their life sentence. I asked: Do you believe this section should be eliminated? Of the 1,645 who responded, 85 per cent said yes it should be removed, 9 per cent said no and 6 per cent were undecided.

On the question of capital punishment, in the fall of 1995 I asked: Do you support the holding of a binding national referendum on capital punishment? From almost 1,600 respondents, 78 per cent said yes, 15 per cent said no and 7 per cent were undecided.

In the spring of 1995 I asked my constituents about Bill C-68 and gun control. I asked: Where should the primary emphasis in new legislation be placed? The use of firearms in criminal acts and firearms smuggling or additional restrictions on legal gun owners? Of the responses to that survey 87 per cent said that the primary emphasis should be on firearms used in criminal acts and firearms smuggling and only 4 per cent said there should be additional restrictions on legal gun owners. There were 1,645 responses to that survey.

• (1100)

The last question dealing with criminal justice was on the Young Offenders Act. That was in the fall of 1994. The question I asked was: ''Do you believe the Young Offenders Act should be changed to ensure more adequate punishment of young offenders?'' There were 2,200 responses to that survey. Ninety-seven per cent said yes, 2 per cent said no, and 1 per cent was undecided.

The responses to the four questions I just outlined clearly demonstrate the constituents of the riding of Simcoe Centre want us to get tougher with criminals, particularly violent criminals in society.

Let us take a look at each of the issues and the overwhelming support that is evident in my riding. Section 745 is the faint hope clause dealing with first degree murderers. There was a murder in my riding. A young father by the name of Kaplinski was murdered by Kinsella and Sales. I talked to the family. When we talk to the families of victims we understand how tragic it is when they have to relive the horror of the murder at a section 745 hearing.

My riding is very much in tune with what Canadians from coast to coast want when it comes to capital punishment. I understand that 76 per cent of Canadians support capital punishment. In Simcoe Centre it is 78 per cent.

With Bill C-55 Bernardo will still be eligible for a hearing.

We had the gun control bill. The problem with the bill is that it gave us a false sense of security. Many in society think it is the answer to making their homes and streets safer, but it is not.

Where are the government's priorities when it would spend up to $400 million for gun control to supposedly make society safer for women and only spend $4 million on breast cancer?

Then we have the Young Offenders Act. The grandmother of Sylvain Leduc visited Ottawa last week. He was murdered by young offenders who showed no remorse. There was no apology. There will be no deterrent and these young people will go on to a life of crime.

Whenever groups of school children from my riding visit Ottawa I meet with them. Many of these school children are victims of young offenders. I asked them for a show of hands on what they think about the changes we are proposing such as lowering the age and identifying the young offenders. The majority of them said we should be lowering the age and we should be identifying the violent young offenders in our communities. Even our young people feel that we should be getting tougher with young offenders.

We would like to see Bill C-55 strengthened with two strikes and you are out. We do not believe violent offenders should have an unlimited ability to reoffend. We should be able to designate someone as a dangerous offender at any time during the sentence. We should not be restricted to a six-month period. We should broaden the definition of dangerous offenders to include pedophiles and sexual predators.

Canadians will have an opportunity in a few weeks to voice their concerns about the government's lack of desire to deal in a serious way with what is a major problem for Canadians not just in my riding but right across Canada. They want violent offenders to be held responsible for their actions, particularly young offenders. If we dealt with them in a more responsible way they would not go on to a life of crime.

Their day is coming. It is only weeks away. It will be a major issue in the election campaign. I am looking forward to Canadians voicing their support for the only party that has a platform to get tough with violent criminals.

• (1105)

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, it is a pleasure to speak to Bill C-55.

We heard a lot about dangerous offenders and some offences that should be included in the dangerous offender category. I will try to explain to the government the need to categorize and identify why certain offences should be under the dangerous offender category.

Why is the public looking more and more to articulating why certain offences should be categorized and why there is a lack of trust the judiciary will actually call a spade a spade and give out a sentence in proportion to the crime committed? In doing so I will

try to explain why the judiciary is out of sync with society and why victims today have lost confidence.

For instance, during the sentencing of a man who broke into his estranged wife's home while on probation, Judge Louis Matheson said that: ''I don't know whether it is your own fault or you happen to have a very sensitive mate who is easily rattled''. Twelve days later the man's girlfriend was shot to death and he was charged with her murder. I raise this story to try to show why the system of justice is out of sync with victims and those who may become victims and their expectations.

During the sentencing of a man for sexual assault, Judge Louis Matheson said that if the victims had been women instead of girls he would have thrown it out of court. Can we imagine the logic behind that statement?

Frederick Metcalfe of Oshawa was given a two-year less a day prison term followed by three years of probation for grabbing a three-year old boy and kicking him in the stomach in the house Metcalfe shared with the boy's mother, his girlfriend. The blows ruptured the boy's liver and pancreas. He also suffered permanent brain damage that crippled him physically and mentally. He cannot walk or talk and has lost vision in one eye.

Although Metcalfe was charged with aggravated assault, Justice Sam Murphy was not convinced the brain damage the boy suffered that night resulted from the attack. After one doctor testified the boy could have suffered a brain aneurysm, Judge Murphy convicted Metcalfe of a lesser charge of assault causing bodily harm. He was given two years less a day for a savage attack on a child who is now crippled for life.

These decisions in our courts are happening all the time. People are sick and tired of them. People are apprehensive that there will be real justice applied in a courtroom today.

Some wonder why we are demanding in Bill C-55 that certain types of offences be included in the dangerous offender category. The reason is that we can no longer trust the decisions of those who should be making them.

Not too long ago in 1989, to show how consistent things are because I can give some very recent situations, Douglas Schwartz raped and maimed a 7-year old girl very close to my riding. He raped her so savagely that her vagina had to be surgically reconstructed. As a result of an appeal in 1991, not so very long ago, Judge Allan McEachern reduced Schwartz's prison sentence for that attack from nine to five years because he said there was no evidence that Schwartz was either sexually deviant or a risk to the community. These are facts I am talking about here.

● (1110)

He concluded that Schwartz's thinking was impaired by drink when he assaulted the child. The magnitude of the chief justice's error of judgment became apparent when Douglas Schwartz was found guilty in the Supreme Court of British Columbia of sexually assaulting a woman six months after his early release from jail. That is what we are talking about, yet the House wonders why we are asking for these kinds of offences to be included in dangerous offender status.

They are not made up stories. They are errors in judgment. They are loopholes in the laws of the country. They are problems that can be resolved in the House of Commons, but they are not being resolved.

The folks over there can say that Reformers are some kind of group of extremists.

Mr. Fewchuk: You belong to the cult.

Mr. White (Fraser Valley West): I hear the member. People who live in Ontario, Atlantic Canada and other places are getting ready to vote. I can assure Canadians that the members sitting here are very close to their communities. They see these kinds of situations day in and day out. These real horrors are happening without the government being accountable.

I heard the Minister of Justice say in the House: ''This person just got a conditional sentence. I know he raped and tortured this young lady, but it is going to an appeal court''. I say: ''You spineless creature''. It is in appeal court because he did not have the courage of his convictions in the first place to exclude serious offences from conditional sentencing. That is the problem.

We have debated this point until we are sick and tired of debating it. Now we are dealing with Bill C-55 and we are telling the government that included in the list of dangerous offences should be a whole bunch of other offences that have been left out.

What will the government do when we have a repeat of the Darren Ursel situation in British Columbia, when these same kinds of offenders offend women? What will the government do when we stand here and tell it to look at what it has done? The government will say that it should have gone to appeal court, that it should be appealed, that more money should be given to the lawyers to appeal it.

An hon. member: Hear, hear.

Mr. White (Fraser Valley West): The member says: ''Hear, hear''. They agree with it.

The government will say that we should leave the decisions with the judges of the land who are well known to make abysmal decisions in some cases.

● (1115)

I hear decisions like ''sexual assaults occur when the woman is drunk and has passed out, and the man comes along, sees a pair of hips and helps himself'' from a judge.

This country cannot afford to have a government in place that does not have the courage of its convictions and will not legislate law. It cannot afford to have the judiciary—

The Deputy Speaker: I am sorry, the member's time has expired.

Mrs. Diane Ablonczy (Calgary North, Ref.): Mr. Speaker, today we are debating yet another of the bills the justice minister is trying to rush through the House before an election call at the end of the month.

Suddenly the justice minister has decided that he should look like he is doing something to give justice to Canadians. That is good. One wonders why it has to happen just before an election, before the justice minister is going to the voters.

In any event, here we are debating the fourth or fifth justice bill that is supposed to go through the House in a very short period of time. Bill C-55 is an act to amend the Criminal Code with respect to high risk offenders.

If there is a high risk that a criminal or an offender, if released back into society, will harm or violently reoffend, then this bill is supposed to protect society from that person by ensuring that he or she is not released back into society until no longer a high risk offender.

The original Bill C-55 was not very effective in this, therefore the justice minister is trotting up once more to strengthen it. It would be good if he succeeded. Unfortunately, as usual, a timid half measure is being trotted out, is being aggressively sold and marketed as a substantial move forward to give Canadians the protection that our society needs and is not getting.

It is up to Reform, as usual, to point out how misleading and how ineffective these measures are. It becomes a marketing battle where the Liberals and the justice minister say ''we sure got tough on crime, you are a lot safer with us''.

It is up to the opposition to point out how ineffective and how unsubstantial these changes are that are being sold as the real goods. As a well known commercial says, where's the beef? There is precious little in so many of these measures.

Yet if we do not support them, the minister then turns around and in a very politically crass way writes letters to the newspapers saying Reform has voted against his wonderful measures to protect people, failing to mention that these are not wonderful measures at all and do not deserve anybody's support at least not most Canadians.

Here we are with Bill C-55. It is very interesting because Bill C-55, as members know from some of the speeches and interventions of my colleagues, does not apply to a whole list of violent criminals and certain people who are dangerous to society.

Specifically, it does not apply to those who prey on our children, who are sexual predators and who are pedophiles. This is a very interesting omission because it could so easily not have been an omission and because our debate on this bill follows very closely on the heels of our debate yesterday on Bill C-27.

● (1120)

Bill C-27, as is so typical with Liberal bills, puts a lot of hearts and flowers into the preamble, which of course has no legal effect but always plays the violin as to how the Liberals are so concerned about the safety of Canadians. Then the measures that follow do little or nothing to really follow up substantively on that concern.

In the preamble to Bill C-27 the first two paragraphs provide a general context and affirm Parliament's concern about violence against women and children in the areas addressed by the bill, acknowledging children's heightened vulnerability to and greater need for protection from exploitation and abuse.

Paragraph 6 of the preamble recalls Canada's undertaking in ratifying the United Nations Convention on the Rights of the Child to protect children from and prevent their sexual exploitation and abuse.

Paragraph 8 of the preamble expresses Parliament's wish in the interest of promoting the life, liberty and security of women and other victims of criminal harassment to strongly denounce that offence by strengthening the law in relation to it.

Here we have some nice Liberal rhetoric about the need to protect children from sexual abuse and exploitation. What do we have the very next day? We have a bill concerning criminals who are known sexual predators, who are dangerous to the safety of our children, who could be kept indefinitely out of society to protect our children, and these people are totally missing from the list of offenders who can be designated dangerous offenders under Bill C-55.

We have to ask why that would be when there is a lot of lip service paid to protecting our children. In the very next bill that could protect our children from sexual predators and from people who are very likely to reoffend, and since we know that individuals falling into this category are a danger to our children, why on earth does Bill C-55 fail to ensure that these individuals can be kept out of society and protect our children from them? I have been told, and I am sure Liberal members and the Liberal justice minister know, that there is no known cure for pedophilia.

Not only does the bill omit that category of offender, but we have introduced an amendment to correct this oversight. That is very kind of Reform, I would say. It is doing our job in a constructive way to make sure that the stated objectives of the Liberal justice minister and the Liberal government to protect society are actually carried out. We have done the responsible thing.

I would like Canadians to watch very carefully when it comes time to vote on this amendment to include sexual predators and those who exploit our children in the list of people who can be kept indefinitely incarcerated under the dangerous offender provisions of Bill C-55. I am willing to bet that the Liberals will not put that in the bill. They will vote against the Reform amendment. But during the election they are going to play the violin and say ''boy, do we ever care about protecting children''. When push comes to shove and they could protect children, that is not in the bill and they will not even support an amendment to put it in.

I get pretty tired of seeing letters like the one printed in the *Richmond News* on March 23 where the justice minister has the gall to say: ''We're really trying to protect this society but Reform won't support us''. I guess not with this kind of hypocrisy and nonsense.

The hearts and flowers, the preamble, the nice stuff that is written at the beginning of these bills everyone would agree with. What Canadians need to do is look at the substance of these bills and see if there is any beef in them. Nine times out of ten there is none.

● (1125)

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, I am pleased to take part in the debate on Bill C-55 and to speak specifically about the amendments we propose to bring this bill into line with reality.

This bill has generated a lot of interest for people in my riding. One of the reasons for this interest is a couple was murdered at Valleyview 10 years ago by a fellow who is serving some time in one of the penitentiaries. He is due to be released by May 1. I want to use that case to illustrate how badly this Liberal government has handled the whole criminal justice issue. It will also illustrate how our amendments to Bill C-55 will help to correct some of that imbalance.

In the last few weeks we have seen the justice minister scrambling to shore up support. He knows he will be in grave trouble during the next election campaign. The Liberal government is in grave trouble because it has mishandled the whole criminal justice issue during the past 3.5 years of its mandate. This government should not be returned to office because it is not reflecting the concerns of Canadians.

Let me give an example of what has been happening. The case of Rod Martineau is a classic example of what is going on all across the country. It clearly illustrates the effects of this bill and the importance of change. Rod Martineau is the 27-year old man who assisted in the murders of two Valleyview, Alberta residents, Les and Ann McLean, on February 6, 1985.

On that day both he and Tremblay went to the McLean home with the intent to rob. Seventy-year old Les McLean was the only one home at the time. The men held him at gunpoint and waited for his wife Ann to return home. Patrick Tremblay, Martineau's partner, then shot both of them in the back of the head. The very day this happened, Rod Martineau had just been released from a young offender facility in Grand Prairie.

The two men murdered this couple because they were looking for some money. Martineau was only 15 years old at the time. He had spent quite a bit of time in institutions. According to the son of Les and Ann, Rod Martineau could have fled the scene at any time while his partner perpetrated this crime but instead helped to hold the two people at gunpoint while he waited for the murder to take place and assisted.

Martineau first appeared in youth court but was then transferred to adult court. He was subsequently charged with second degree murder but this conviction was overturned by the supreme court, another example of our Liberal justice system. He was then sentenced to six years in prison after pleading guilty to manslaughter, robbery with violence and possession of a weapon. He was considered violent and an escape risk.

The son of the victims says that at no time has Martineau shown any remorse at all for his crimes. He has not accepted rehabilitation while serving his sentence, yet we are still letting him out on statutory release. I think he has had three releases to this point.

He was to be released the first time after serving only two-thirds of his sentence. How is this possible? We have our current justice minister to thank for this. Bill C-41, which the justice minister introduced a short time ago in this Parliament, allows for six types of conditional release. Martineau, a convicted killer, qualifies under the statutory release portion. This is an automatic release. The parole board has no say in it. All it can do is set conditions and return the individual to the penitentiary if, and in this case when, the conditions are violated.

As most people in the Peace River constituency expected, within a few short weeks of Martineau's being released under that statutory condition as given to him by the Minister of Justice, he was back in jail. That was no surprise. The correctional service says that half of all Canadian cons freed under the statutory release portion flunk out and are reincarcerated.

Although 30 per cent are rearrested on technical violations such as drug charges and abuse of alcohol, a full 20 per cent of those who are out on statutory release commit new crimes. Yet a spokesman for Correctional Service of Canada said that all it can do is its best to make the transition to the community as smooth as possible for those who are let out on statutory release. The law is the law, after all. Who do we have to thank for that law? The current justice minister and his Liberal justice system which is

failing Canadians. Canadians are upset. They are angry. I hope they will make a strong case in the next election to correct this problem.

● (1130)

Since the first statutory release, Martineau has been released twice. After all, the poor guy has to have a chance to get back into society. Even though he has a drug problem, has never shown any remorse for his actions and has never accepted any rehabilitation, the poor man has to have a chance. On October 3, 1996 and on February 21, 1997 he was released. Both times he violated the conditions of his release almost immediately and was returned to the slammer within days.

This man will be back on the streets on May 1. His sentence is up. He is the type of individual who should be held in prison because he is a danger to society. Although it is clear to the people working in the penitentiary that Martineau is likely to reoffend, he will be released. They have no say in it because the justice minister has converted his sentence to a conditional one and his time will be up.

Given the lack of remorse and his drug problems, surely he would qualify if Bill C-55 was amended to reflect the concerns I have addressed. Specifically Bill C-55 should state that any individual who can be determined to be a danger to society should not only be assessed during the first six months of the sentence but at any time during the sentence. If there is any belief that convicted killers or persons who committed a serious crime can be rehabilitated, surely the assessment should take place near the end of their sentence, within the last six months.

The current legislation states that we can only determine if a person is a dangerous offender within six months of sentencing. That does not make any sense. Our justice critic, the member for Calgary North, suggested an amendment to the legislation. As my colleagues who have spoken before me have stated, the chance of the Liberal government accepting an amendment to Bill C-55 to allow an assessment to be made at any time during a sentence is about nil.

We have to wonder what is the motive. We have seen a lot of window dressing in the House on criminal justice issues. The gun control bill is a perfect example. Bill C-68 was modelled on the handgun registration system that has been in place since 1935. It is a poor model to use. We have more crimes being committed with handguns now than we had before in spite of the fact that there is a registration system. Now farmers, ranchers and other law-abiding people who use guns in a responsible manner will have to register their rifles and shotguns.

Most people see the bill for what it is. It is window dressing, looking like something is being done about criminal justice. It is a disservice to Canadians who want some real action on law and order and a stronger criminal justice system. It does not mean harassing farmers, ranchers and hunters. It means attacking the real problem with the criminals.

On the other side the justice minister brought forward conditional sentencing in Bill C-41. He suggested that if people are to be designated violent offenders they can only be assessed during the first six months of their sentence.

Does that make any sense? Does the government believe in rehabilitation? Obviously that is not the time to do the assessment. The assessment should be done at any time during the sentence. It would make more sense if it were done closer to the end of their sentence when we could see whether or not they were still a danger to society, have shown remorse for their action or have accepted rehabilitation. Things that make common sense do not seem to be the way the justice minister proceeds.

● (1135)

Members opposite will have a chance to vote on the amendment of my colleague from Calgary Northeast on Bill C-55 which states:

> That Bill C-55, in clause 4, be amended by replacing lines 11 to 15 on page 3 of the following:
>
> 752.1 (1) Where an offender has been convicted of a serious personal injury offence defined in section 752 and, on application by the prosecution, at any time during the time the offender is serving the sentence imposed for the offence, the court is of

I challenge members opposite to vote for that amendment.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, it is a pleasure to speak to Bill C-55. I congratulate my colleague from Calgary Northeast on the work he has done on this important issue.

For 3.5 years members of my party have continually fought for the rights of Canadians to live in peace, free from being abused by criminals and free of criminal acts. The government has repeatedly watered down any solutions put forward. In the view of many Canadians and many members of the House it has not done the job it should have done in trying to protect Canadians. It should have made the protection of innocent civilians the number one priority of the justice department. The government continually pursues the theory that the most important aspect is the protection of the rights of criminals instead of the rights of innocent civilians.

I will deal with a few issues in Bill C-55 and some of the things suggested by members of my party. One of the most egregious occurrences throughout the tenure of this Parliament is that criminals who have been proven to be dangerous to Canadians, pedophiles, sexual predators and people who simply cannot control their violent tendencies, go into the cycle of crime, punishment, incarceration and release. The real victims are Canadians who are subjected to their violence.

I remember working in a jail some years ago. I was called to the jail one Sunday night to visit an individual who was to be released. I was the doctor on duty at that time. When I started to examine the individual he attacked me and the guards who were with me.

When I looked at his rap sheet of violent behaviour it was longer than my arm. He had a psychiatric problem. It was not his fault. He was to be released into the public the following Monday. As sure as the sun rises in the east, he will commit another violent offence and hurt another innocent civilian.

I spoke to the head of the jail. In my naivety I asked how an individual who both he and I knew would hurt somebody else could be released. His response was that it was the law and he could do nothing about it.

It is one of the reasons I am sure many of my colleagues and I got involved. We have seen examples of situations where patently violent people are being released into the public. A person who has committed a violent offence may have a psychiatric problem, may be paranoid or a paranoid schizophrenic and may need medication and an environment where he can be treated. It is not fair for him to be released. Certainly it is not fair to the public that will be subjected to his behaviour.

Once again the government had three years of ideal opportunity to do something about the matter but it has done nothing. Furthermore it has done nothing to address the precursors to crime.

● (1140)

Another tragedy occurring throughout the country is the movement of psychiatric patients into the community at any cost. Some of them ought to be moved into the community and will function very well there. Some however do not.

We need not look any further than at the streets in the downtown core of large urban centres to see many patients who are living in conditions of squalor and abuse because some bright light in some ivory tower decided they were better off in the community than in an environment where they can be taken care of, medicated and live safe and productive lives.

A silent epidemic is occurring in our communities across the country. Unfortunately the government has again chosen not to work with its provincial counterparts to try to deal with the issue.

All of us in this room know of individuals who have psychiatric problems. Some of them function very well in society but a small segment of them do not. It is high time we realized that some of them need to be in a care giver environment where they can be medicated appropriately and taken care of. This subgroup of individuals cannot take care of themselves. They do not deserve to be wandering around the streets, living in squalor and not being medicated.

I put forward a private member's bill 2.5 years ago, the three strikes and you are out bill. It said that any individual who commits three violent offences should be put in jail. People who have demonstrated that they are a danger to society should be put in jail for 25 years. The government refused to make it votable and hence it died on the Order Paper.

My colleague from Calgary North repeatedly fought for the same issue. Again it was stonewalled by the government. Why has it stonewalled the Reform Party? Why has it repeatedly stonewalled my colleagues from putting forth constructive, sensible solutions to keep individuals who are dangerous offenders, a harm to society and a harm to innocent civilians off the streets?

My colleagues have made reasonable suggestions. They asked that the dangerous offender designation be expanded. I ask the public to listen to members of my party who wish to expand the designation. We wish to extend the dangerous offender designation to individuals who commit sexual interference crimes, people who obtain sexual services from a child, people who corrupt children, people who commit sexual exploitation of children and sexual acts against children under the age of 18 such as incest, sexual assault and sexual assault with a weapon.

How could the government argue with a party that wants to protect children from being subjected to individuals who find it acceptable to rape children and commit sexual assaults on them?

Furthermore my colleagues raised solutions that would make it an offence for anybody to commit rape, attempted rape or indecent assault on a male or female under the age of 18 years. They are not misdemeanours. They are serious offences and acts of violence. These solutions have been put forward by them in an attempt to protect innocent civilians from violent offences and assaults.

Can we imagine a woman, a man, a child or a teenager being subjected to these offences? Can we imagine the people who committed the offences being free to go wherever they wish? Can we imagine the sheer, stark terror in their minds? They are innocent. They do not deserve to live like that. All members of the House have constituents who have written to them detailing very poignantly and passionately the fear in their lives after being subjected to these atrocities and what comes after. They are the victims who pay the penalty and will for decades to come. Most of them never, ever get over it.

● (1145)

With respect to the issue of prevention, the Minister of Health, the Minister of Human Resources Development and the Minister of Justice need to address the precursors to crime. There is a need to tap into some of the very good ideas in our country to address the precursors to crime. It does not involve counselling when a person

is 20 or 30 years of age. It involves dealing with children at the ages of four and five and their families.

Only by addressing family circumstances and some of the terrible violence, sexual abuse, neglect and assault that some children endure, will we be able to truly stop the growing tide of youth crime later on. Only by dealing with these children and their families will there ever be a possibility to stem the tide of crime, particularly violent crime in our society.

In closing, we have laid down our gloves and have challenged the government. My colleagues have put forward constructive solutions. We now challenge the government to amend the bill to make it more fair and to protect Canadians from coast to coast.

Mr. Bob Ringma (Nanaimo—Cowichan, Ref.): Mr. Speaker, Bill C-55 is an act to amend the Criminal Code regarding high risk offenders, to amend the Correctional and Conditional Release Act, the Criminal Records Act, the Prisons and Reformatories Act and the Department of the Solicitor General Act. It takes in a lot.

I ask the question: Does the Reform Party believe in tightening up our laws concerning criminal justice? The answer is absolutely.

Then the question comes from across the way: ''Then why does Reform not support specific bills such as C-55 which is before us today?'' The answer to that is because such bills are inadequate and the Minister of Justice will not listen adequately and make the changes that are needed.

In fact, Minister Rock has gone on a bit of a counteroffensive—

The Deputy Speaker: I would ask all members not to refer to their colleagues by their surnames, but by their constituency or ministerial title.

Mr. Ringma: Mr. Speaker, we are talking about the Minister of Justice, who has launched a bit of a counterattack which really tries to finger Reform.

He says in the excerpt which I will read from this column: ''Rather than working constructively with the government, Reform has repeatedly voted against key government initiatives designed to protect victims rights''. The reason we do that is to try to get the Minister of Justice to bring forward legislation that is meaningful to Canadians as well as to criminals who we should be attacking.

I guess the perfect rebuttal to the Minister of Justice has to come from some of the victims of crime. I have in front of me a statement from Gary Rosenfeldt, the parent of one of Clifford Olson's victims.

● (1150)

Mr. Rosenfeldt writes:

> As a parent of one of Clifford Olson's victims, I am shocked and dismayed that Justice Minister Allan Rock and the Government of Canada would state that members of the Reform Party are exploiting us in giving Clifford Olson a platform''.

This victim's father, who is a victim himself, goes on to say:

> The exact opposite is true. John Nunziata's bill to repeal section 745 passed second reading in the House in December, 1994, despite active opposition by the Liberal cabinet. I know, I was in the House that night and I watched the proceedings. The government then stalled the bill in committee and failed to introduce its own legislation until the last moment in June of 1996, immediately before the summer recess. The bill was not able to be passed because the government did not give it a high enough priority and thus required all party consent.

That is what we are going through here over and over again with more and more legislation.

Mr. Rosenfeldt goes on to say:

> It is unconscionable to suggest that a government with a 50-seat majority should have to rely on the consent of the opposition to get its legislation passed. The bill failed to pass because the Government of Canada and its justice minister failed victims' families and all Canadians in its priorities. At that time, Mr. Rock tried to blame the Bloc. Today he tries to blame the Reform Party. If Mr. Rock is looking for responsibility for the Olson hearing proceeding, he need only look in the mirror. We are confident that all Canadians will remember that Clifford Olson's platform was built and maintained by the Liberal Party of Canada.

We are going through the same thing on Bill C-55 as we went through on the legislation I just mentioned and even on legislation that is coming up. The Minister of Justice has failed to act in a timely manner.

The Canadian Police Association has taken the unusual step of taking out a full page ad in yesterday's *Hill Times*, the paper of April 14. In it, the Canadian Police Association is taking issue with DNA legislation that the minister is perhaps going to bring forward.

What they say in this full page ad open letter to all members of Parliament is that although they want this DNA legislation, and they want it as bad as the Reform Party wants it, they have reservations about it.

They say: ''It is difficult for us as the association which has initially and vigorously promoted the need for an effective DNA data bank system to write to you now urging rejection of this bill as currently drafted''.

No doubt, the Minister of Justice will counterattack the Canadian Police Association for doing this. However, the Canadian Police Association is talking, as the Reform Party is talking, saying: ''For goodness sakes, you have had three years and more to wrestle with these things. Why have you not put in the amendments that we and others have suggested?''

The Canadian Police Association goes on to say: ''In the press conference held last week to introduce the bill, Justice Minister Rock reflected that it is important that we get the DNA data bank correct the first time. We could not agree more. We think, all of us, especially Canadians and you as their elected representatives,

deserve better than what has been thrown together in these dying days before an election lest we suffer under it for years to come''.

● (1155)

That association has put quite clearly what are the issues. The issues are inadequate legislation and the attitude of the Minister of Justice toward legislation that he proposes which is counter proposed by members in this House. I am afraid the minister has far too liberal a view of what we think is needed.

Let us look quickly at the four motions that this party is proposing as amendments to Bill C-55. The first motion is an attempt to strengthen the bill, to make it effective legislation. Will the government listen? That is the question. Motion No. 1 proposed by the member for Calgary North would allow the crown the right to seek dangerous offender status for persons convicted of crimes causing serious personal injury at any time during that offender's penitentiary sentence. That is the nub of it. Bill C-55 as currently proposed is inadequate. Reformers are saying we should be able to seek dangerous offender status at any time during a sentence.

The next motion that we have moved to amend Bill C-55 would, on conviction for two or more violent offences causing serious personal injury, would automatically make any offender a long term offender. It is easy to see why the Minister of Justice opposes that. It is a little too strong. It is a little too hard hitting.

Motion No. 3 proposed by the Reform member for Calgary North amends certain things. We believe that this list of Criminal Code provisions does not go far enough in the legislation for the purpose of assigning long term offender status to certain criminals. This amendment would expand the list of offences used for designating criminals as long term offenders to include a wider variety of sexual offences, especially sex crimes against children. Surely we need tough legislation in those areas, but we are not getting it.

The final amendment proposed by Reform is Motion No. 4. Under the current provisions of Bill C-55 there would be a review of indeterminate sentences after seven years of custody rather than three. That is going in the right direction. We propose that it would be after 15 years. I see my time is up.

Mr. Bill Gilmour (Comox—Alberni, Ref.): Mr. Speaker, it gives me great pleasure to speak on Bill C-55 dealing with high risk offenders.

In a couple of words, this legislation is not enough. The categories need to be expanded. My colleagues have given numerous examples of the areas that need to be addressed.

As my colleague mentioned earlier, 15 to 20 per cent of high risk offenders, those who cannot be trusted not to reoffend, are the ones who need to be dealt with and are not dealt with in this bill.

Once again we see the Liberals tinkering with the problem and not really addressing it. We have seen that in the 3.5 years that we have been in this House. I would like to go through a number of these bills and show where the government has played around on the edges and has not addressed the issue.

I will start with Bill C-68, gun control. Canadians want crime control, not gun control. I have been a hunter for 25 years and I wonder why I am the target of the Liberal legislation when the criminals will not register their guns.

● (1200)

In my mind it is very much a tax grab. It is a $100 million registration. It is more money into the coffers of this government and the bottom line is that it will not solve crime. We would have been behind Bill C-68 100 per cent if it solved crime but it does not do that.

The government was very short in its thinking. About 25 per cent of Canadians are gun owners. These people have long memories. It is a rural versus an urban issue. It is not a party issue. As we saw when the government was voting, a number of government members who were largely from rural areas voted against this bill. They represented their constituents and they were punished. That is what happens to a Liberal member who votes for his constituents against poor legislation. Reform will repeal this bill because we want to deal with the crime aspects of guns, not implement a registration system that does not work.

Another issue is victims rights. Over a year ago my colleague from Fraser Valley West brought the victims rights issue to this House. It was voted on and passed at second reading by this House and then it sat for over a year in committee. All of a sudden we are getting into an election, so what does this government do? It is trying to rush through the victims right issue which will not pass because there is not enough time. The government is trying to gain ownership on an issue. It must have done some polling and recognized that Canadians are fed up with a system that gives rights to the criminal that are over and above the rights of the victim.

My colleague was just commenting on the issue of the DNA data bank. DNA is like a fingerprint. Every individual has a different DNA imprint. Whether it is a bit of saliva, a drop of blood, a hair or a drop of semen, the DNA imprint can be taken and placed in a data bank. The government is now bringing this through at the last hour knowing that it will not pass as full legislation. For the life of me I cannot understand why a tool like DNA testing is not at the top of the justice minister's agenda.

Consider Bill C-41, conditional sentencing. My colleagues have brought up many examples to illustrate that conditional sentencing simply does not work. They are letting people out on the streets who are reoffending. People are committing horrendous crimes and they are not spending a day in prison. The judges are letting them off. Conditional sentencing is not working.

On section 745 of the Criminal Code two words sum up the Liberal justice program: Clifford Olson. The government had the opportunity with section 745 to keep Clifford Olson behind bars but it did not do that. In my mind the government is going to pay for that come election day. Canadians are sick and tired of seeing an individual who murdered at least 11 children playing and tinkering with the justice system. He is using it and hundreds of thousands of taxpayer dollars. He is laughing at each and every one of us, which is absolutely wrong.

Reform would hold a binding national referendum on capital punishment. Let Canadians decide. This is far too important an issue for politicians. During the Mulroney era, 80 per cent of Canadians said that they wanted the return of capital punishment. What was the Tory answer? Canadians do not really know or understand the issue. The Tories would not bring it in. Let Canadians decide. Hold a binding national referendum on the return of capital punishment for first degree murder.

This is a long list of legislation the government has brought in. The Young Offenders Act is another example of where the government has tinkered with the edges but has not dealt with the problem. There must be accountability in our youth. Young people who commit crimes must be accountable, as must their parents. That is not happening. Their names have to be disclosed. The community should know what these young people have done. They are laughing at the system. They know exactly how far they can go.

My 17-year old son will tell me exactly what goes on in school. The kids sit and talk about it. They know where the limits are. The ones who want to break the law play the system.

• (1205)

The justice system is in a mess, from the Young Offenders Act to the judges to the parole system to plea bargaining. The government is not addressing the issue.

Canadians are tired of seeing offenders walk free, victims being abused and a government that does not deal with the issues. These will be election issues. Gun control and the Young Offenders Act will come back. The government will have to account on election day for its poor performance.

Bill C-55 concerns high risk offenders. It is another example of the government not going far enough. We need to go further.

Mr. Werner Schmidt (Okanagan Centre, Ref.): Mr. Speaker, Bill C-55 deals with serious offences and the consequences that should be the result of engaging in behaviour which can be described adequately by two adjectives, heinous and repulsive. We find these offences difficult to express and difficult to define.

The proposals which have been made by my colleague would add at least 10 to those which I am prepared to read into the record this morning. They have been listed, but I want to review briefly the things that are being discussed.

Serious offences should include sexual exploitation of others, bestiality in the presence of children or insisting that a child commit bestiality, a parent or a guardian who procures sexual activity from a child, living off the prostitution of a child, obtaining sexual services from a child, incest, sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm, and rape.

Any one of those is extremely serious. Not only are they a violation of the person, the consequences to the victim are automatic, immediate and very often permanent. Yes, the individual may learn to adjust. Yes, the individual may go on with their life. Yes, the individual may draw a line and say they will forget the incident and move on. Inevitably and invariably the victim of these kinds of behaviour says that it does not go away. The healing process which is essential in order to carry on normal activities and have a normal lifestyle is very difficult. Very often we do not deal with these offences with the sincerity and seriousness which they ought to be dealt.

There is a provision in clause 15 which gives me cause for grave concern: ''If the long term offender expresses an interest in being supervised in an aboriginal community, that community must receive notice of the supervision order and have the opportunity to propose a plan for the release and integration into the community''. That is a very good provision. However, it would appear to be an example of the Liberal government's decision to treat some Canadians differently than others and bring about inequality.

• (1210)

Aboriginal communities will have the right to a notice of the release of a high risk offender into their community and the right to become involved in planning for their release. Other Canadians do not receive this notice or opportunity. That is a very difficult situation.

We need to know that this kind of provision ought not to exist. The offender is as dangerous in one community as in any other community. The issue has to be laid to rest once and for all. We have enough distinction and separation among Canadians. The time has come to build a united country, a country in which individuals are equal, where provinces are equal and where we can look forward to equality before and under the law, before and under the

Constitution and under every piece of legislation in this country. Notwithstanding the comments that are being made from across the way, every one of us should be equal and we should all be treated equally before and under the law.

The time has come for us to recognize that we have to do that. I would suggest that the hon. member who is making some comments should check his facts to see that we do subscribe to and recognize the equality of individuals before and under the law. We need to be factual and honest in our situation.

I want to go on to another thing here, victims. There are two kinds of victims. I talked about the first set of victims, the ones against whom rape is committed and against whom all kinds of influences are brought to bear. Those are the direct victims. There are indirect victims as well. These indirect victims are the families, associates and friends of the victims who suffered directly.

The mother of a child who has been raped suffers seriously, not in the same way her daughter or her son did, but suffers nevertheless. We identify with our children and our partners. Mr. Speaker, I cannot imagine what kind of an impact it would have if your wife were raped. If the Minister of Justice would have that kind of experience in his family he would not treat this in quite the same way as it is being treated at the present time.

Those are not the only indirect victims. The other set of indirect victims are members of society.

Not too long ago Mindy Tran was killed in Kelowna. Still today young children on their way to kindergarten are saying to their parents ''mommy, should we not stop that person over there, she is walking alone?'' They are afraid. This young person who is going to kindergarten and who said this did not know Mindy Tran and the anguish and agony that was created in the family, but she did understand that there is danger out there. If that kind of danger is allowed to go on unhampered and unhindered by the kinds of things we do to serious offenders, we as a society are in trouble.

There are the direct victims but there are also the indirect victims. There are some who would argue that this whole business of punishment really does not deter anyone. In a sense that is true. I remember having a bit of a discussion not too long with a young fellow who said that fines deter. He said when he drives he slows down when he sees a policeman. I said ''After you have passed the policeman you speed up again, right? Are you breaking the law? You broke the law before and you broke the law again after so you paid the fine. Have you sped since you last paid your fine?'' He said yes. Fines do not deter.

In some cases where people are a threat to reoffend in a similar way, we have to make sure that society is protected to the degree possible so that the offence does not again take place in that society. Something has to be done that will protect the rest of us.

• (1215)

I want to go beyond this point and indicate that we need to get into the business of preventing crime in the first place. It starts at home with an individual sense of what is right and what is wrong. Actions begin with thoughts. If we think right we act right. If we think wrong we act wrong. If we do not have a good governor of what is right and what is wrong in our conscience we will do what is wrong.

If we want to engender in our communities, our people or our citizens a sense of justice and fairness, we must also build in a clear understanding of what is right and what is wrong. That means strong families where values can be transferred from one generation to another and where the parents exemplify and demonstrate in their day to day operations how they can actually live in a just, fair and upright society.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I have been listening to the debate all morning. It is passing strange that Reform members are the ones who seem to be concerned mainly with justice issues. It is very strange we are the only ones who are critiquing the bill. There are other opposition parties in the House. Why are they not addressing it?

I attended the NDP national convention in Regina this week. It did not convert me. I am still a Reformer. In fact I am probably a much stronger Reformer than before I went there. It was interesting that a party that claims to be a national party did not mention justice issues at its convention. Somehow they were forgotten. There was no mention of the unity issue other than a mention that social programs would keep Quebec in Canada and democratic issues were not important to Canadians. I beg to differ.

The NDP claims to be a grassroots party. It neglected the important element of making sure its constituents were represented. To omit that subject in a national convention was a gross oversight.

Members of the NDP did not talk about the Young Offenders Act. In the province of Saskatchewan crime is a major problem. People will commit crimes, wreck vehicles, do all kinds of things and write on the windshield of vehicles: ''Thank God for the Young Offenders Act''. We have a huge problem. They openly hide behind the legislation. That should have been mentioned at the NDP convention.

They forgot to talk about capital punishment, something that 80 per cent of the people would like to see come back. Of all things, they omitted discussion on gun control. I wonder why. I guess there is a big split between the national NDP and the provincial NDP on the issue so they do not want to talk about those things. They forgot to talk about consecutive sentencing.

Many issues need to be discussed, but let me come to my primary point this morning. What is the primary purpose of government? We should be dealing with that fundamental issue. Everyone in the House will agree the primary purpose of government is to provide for law and order in society, to protect citizens,

to protect the weak and vulnerable and to protect those at risk from the criminal element taking advantage of them. That is fundamental. That is foundational. That is what we should be doing.

The purpose of government is to restrain evil within society so that we can continue to enjoy freedom, move about freely and pursue various things in our lives that we think are important. The government must provide for that and it is not happening the way it should. Bill C-55 is a very good example of a Liberal government half measure to control crime.

• (1220)

I have no illusions about the limits of government. To some extent we can pass the best laws in the country and it may not change people. We can pass laws. We can enforce them. We can control evil to some extent. However we cannot make people good.

Reformers recognize the need for strong families in society to allow for the transmission of values, for cohesion and stability. Families are the basic building block. Without strong families all the best laws in the world will not do any good.

That is why the third part of our election platform deals with that important aspect. We need that balance. Much of what government is doing is eroding the emphasis on the value of family in society. We need that.

How important is the issue of justice? Let me give an example from my experience in my own town. My children have all attended the local high school. They describe to me what it is like to sit and listen to young offenders who return to school the next morning and boast about what they did the night before, the exploits for which they received no punishment. They mock the justice system. They laugh at it. They openly ridicule it.

How serious is that? It affects good children in the school. People who respect the law and are trying to do their best begin to say that it does not matter what they do. They ask why they should try to do their best, study or do well at their jobs. They see justice not being enforced and the law being openly disregarded and mocked. That is why government has to do its job. That is why I am addressing this issue.

Let us look at some of the problems. I have a whole series of articles on problems within the system that directly relate to Bill C-55, the half measure the Liberals are trying to push through in the dying moments of Parliament. It is a piece of legislation that needs to be fixed.

One headline ''Deviant Justice: He raped, served his time and is coming to a neighbourhood near you''. Violent sexual offenders are being set free in society. No wonder people are questioning what is going on. No wonder they are asking why the government does not do more to control crime? We need to do more. Bill C-55 is a half measure. Criminals still have more rights than their victims. That is a serious problem.

I sat beside Marie King Forest during the parole hearings of Darrell Crook a couple of months ago. She could not understand why the justice minister allowed the man who had murdered her husband to continue to torture his victims by coming before a jury and appealing his sentence to reduce it to 15 years. She could not understand the pain and agony that the justice system puts the victims through. It is not acceptable.

• (1225)

Mr. Crook was able to talk to the jury openly and to explain what a wonderful person he had become. The victims could not speak openly to the jury. What they had to say was censored. They had statements they wanted to read and those statements were censored. Why? It was because criminals have more rights than victims. Mrs. King Forest's son could not read his statement because the judge said it might influence the jury in its decision.

For Heaven's sake why do we have these hearings? I cannot understand. There is something seriously wrong with our justice system when criminals have more rights than their victims. It tears my heart out to see the pain and agony the victims of murderers have to go through when they attend parole hearings and listen every couple of years. There is something seriously wrong and we need to correct it.

Many more topics need to be dealt with. The fundamental problem is that government is not doing its job. It is not protecting the citizens. It is allowing violent rapists and murderers to be on the street. I hope at some point we address this matter further.

The Acting Speaker (Mr. Milliken): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Milliken): The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Milliken): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Milliken): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Milliken): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Milliken): The recorded division on the motion stands deferred.

The next question is on Motion No. 2. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Milliken): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Milliken): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Milliken): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Milliken): The recorded division on the motion stands deferred.

The next question is on Motion No. 3. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Milliken): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Milliken): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Milliken): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Milliken): The recorded division on the motion stands deferred.

[*Translation*]

The next question is on Motion No. 4. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Milliken): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Milliken): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Milliken): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Milliken): A recorded division on the motion stands deferred.

The House will now proceed to the taking of the deferred divisions at the report stage of the bill now before the House.

[*English*]

At the request of the chief government whip the vote on the motions before the House will be deferred until 12.30 p.m.

In light of the time, I wonder if members would agree to calling it 12.30 p.m. Is it agreed?

Some hon. members: Agreed.

The Acting Speaker (Mr. Milliken): It being 12.30 p.m. the House will now proceed to the taking of the various deferred recorded divisions on the report stage of this bill and any others that may come up.

Call in the members.

[*Translation*]

* * *

AN ACT TO AMEND CERTAIN LAWS RELATING TO FINANCIAL INSTITUTIONS

The House resumed from April 10 consideration of Bill C–82, an act to amend certain laws relating to financial institutions, as reported (with amendments) from the committee; and of Motions Nos. 1 to 6.

The House divided on Motion No. 1, which was negatived on the following division:

(*Division No. 296*)

YEAS

Members

Bachand
Bellehumeur
Canuel
Crête
Debien
Dumas
Gagnon (Québec)
Godin
Guimond
Lalonde
Langlois
Lavigne (Beauharnois—Salaberry)
Loubier
Ménard
Nunez
Pomerleau
Sauvageau
Tremblay (Rimouski—Témiscouata)
Bélisle
Bernier (Mégantic—Compton—Stanstead)
Chrétien (Frontenac)
de Savoye
Duceppe
Fillion
Gauthier
Guay
Jacob
Landry
Laurin
Leroux (Shefford)
Marchand
Mercier
Picard (Drummond)
Rocheleau
Tremblay (Lac-Saint-Jean)
Venne—36

NAYS

Members

Ablonczy
Anderson
Assad
Augustine
Bakopanos
Bélair
Bellemare
Bernier (Beauce)
Bevilacqua
Bodnar
Boudria
Breitkreuz (Yorkton—Melville)
Calder
Catterall
Chan
Althouse
Arseneault
Assadourian
Axworthy (Winnipeg South Centre/Sud-Centre)
Beaumier
Bélanger
Benoit
Bethel
Blaikie
Bonin
Breitkreuz (Yellowhead)
Bryden
Campbell
Chamberlain
Cohen

Collenette	Collins
Comuzzi	Copps
Cowling	Crawford
Culbert	Cullen
Cummins	DeVillers
Dhaliwal	Dingwall
Dion	Discepola
Dromisky	Duhamel
Duncan	Dupuy
Easter	Eggleton
English	Epp
Fewchuk	Flis
Fontana	Frazer
Fry	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway	Gerrard
Gilmour	Godfrey
Goodale	Graham
Gray (Windsor West/Ouest)	Grey (Beaver River)
Grubel	Guarnieri
Hanger	Hanrahan
Harb	Harper (Churchill)
Harper (Simcoe Centre)	Harvard
Hickey	Hill (Macleod)
Hill (Prince George—Peace River)	Hoeppner
Hopkins	Hubbard
Irwin	Jackson
Johnston	Karygiannis
Keyes	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Lastewka
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Lincoln	Loney
Malhi	Manley
Marchi	Marleau
Martin (Esquimalt—Juan de Fucas	Martin (LaSalle—Émard)
Massé	McClelland (Edmonton Southwest/Sud-Ouest)
McCormick	McGuire
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Meredith	Mifflin
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Murphy	Murray
Nault	O'Brien (London—Middlesex)
O'Reilly	Pagtakhan
Paradis	Parrish
Patry	Payne
Penson	Peric
Peterson	Pettigrew
Pickard (Essex—Kent)	Pillitteri
Proud	Ramsay
Reed	Regan
Rideout	Riis
Ringma	Ringuette-Maltais
Robichaud	Robillard
Robinson	Rock
Schmidt	Scott (Fredericton—York—Sunbury)
Scott (Skeena)	Serré
Sheridan	Silye
Simmons	Speaker
Speller	St. Denis
Steckle	Stewart (Brant)
Stewart (Northumberland)	Strahl
Szabo	Telegdi
Terrana	Thalheimer
Torsney	Ur
Valeri	Vanclief
Verran	Walker
Whelan	White (Fraser Valley West/Ouest)
Williams	Wood
Young	Zed—172

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Acting Speaker (Mr. Milliken): I declare Motion No. 1 lost.

[*English*]

The next question is on Motion No. 3.

[*Translation*]

Mr. Kilger: Mr. Speaker, if you were to seek it, I believe you would find unanimous consent to apply the results of the previous vote to the motion now before the House.

The Acting Speaker (Mr. Milliken): Is that agreed?

Some hon. members: Agreed.

[*Editor's note: See list under Division No. 296.*]

The Acting Speaker (Mr. Milliken): I declare Motion No. 3 lost.

● (1300)

The next question is on Motion No. 5.

Mr. Kilger: Mr. Speaker, I believe you would find unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

Mr. Laurin: Mr. Speaker, the Bloc Quebecois members will vote yea on this motion.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no.

Mr. Blaikie: Mr. Speaker, New Democrats vote yes.

[*Translation*]

Mr. Bernier (Beauce): Mr. Speaker, I vote nay.

(The House divided on Motion No. 5, which was negatived on the following division:)

(*Division No. 297*)

YEAS

Members

Althouse	Bachand
Bélisle	Bellehumeur
Bernier (Mégantic—Compton—Stanstead)	Blaikie
Canuel	Chrétien (Frontenac)
Crête	de Savoye
Debien	Duceppe
Dumas	Fillion
Gagnon (Québec)	Gauthier
Godin	Guay
Guimond	Jacob
Lalonde	Landry
Langlois	Laurin

Lavigne (Beauharnois—Salaberry)
Loubier
Ménard
Nunez
Pomerleau
Robinson
Sauvageau
Tremblay (Rimouski—Témiscouata)
Leroux (Shefford)
Marchand
Mercier
Picard (Drummond)
Riis
Rocheleau
Tremblay (Lac-Saint-Jean)
Venne—40

NAYS

Members

Ablonczy
Arseneault
Assadourian
Axworthy (Winnipeg South Centre/Sud-Centre)
Beaumier
Bélanger
Benoit
Bethel
Bodnar
Boudria
Breitkreuz (Yorkton—Melville)
Calder
Catterall
Chan
Collenette
Comuzzi
Cowling
Culbert
Cummins
Dhaliwal
Dion
Dromisky
Duncan
Easter
English
Fewchuk
Fontana
Fry
Gallaway
Gilmour
Goodale
Gray (Windsor West/Ouest)
Grubel
Hanger
Harb
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hopkins
Irwin
Johnston
Keyes
Kirkby
Kraft Sloan
LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lincoln
Malhi
Marchi
Martin (Esquimalt—Juan de Fuca)
Massé
McCormick
McKinnon
McTeague
Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
Nault
O'Reilly
Paradis
Patry
Penson
Peterson
Pickard (Essex—Kent)
Proud
Reed
Rideout
Ringuette-Maltais
Robillard
Schmidt
Scott (Skeena)
Anderson
Assad
Augustine
Bakopanos
Bélair
Bellemare
Bernier (Beauce)
Bevilacqua
Bonin
Breitkreuz (Yellowhead)
Bryden
Campbell
Chamberlain
Cohen
Collins
Copps
Crawford
Cullen
DeVillers
Dingwall
Discepola
Duhamel
Dupuy
Eggleton
Epp
Flis
Frazer
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Godfrey
Graham
Grey (Beaver River)
Guarnieri
Hanrahan
Harper (Churchill)
Harvard
Hill (Macleod)
Hoeppner
Hubbard
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Manley
Marleau
Martin (LaSalle—Émard)
McClelland (Edmonton Southwest/Sud-Ouest)
McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Mills (Red Deer)
Mitchell
Murray
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Payne
Peric
Pettigrew
Pillitteri
Ramsay
Regan
Ringma
Robichaud
Rock
Scott (Fredericton—York—Sunbury)
Serré
Sheridan
Simmons
Speller
Steckle
Stewart (Northumberland)
Szabo
Terrana
Torsney
Valeri
Verran
Whelan
Williams
Young
Silye
Speaker
St. Denis
Stewart (Brant)
Strahl
Telegdi
Thalheimer
Ur
Vanclief
Walker
White (Fraser Valley West/Ouest)
Wood
Zed—168

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Acting Speaker (Mr. Milliken): I declare Motion No. 5 lost.

The next question is on Motion No. 2.

[*English*]

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*Translation*]

Mr. Laurin: Mr. Speaker, the members of the Bloc Quebecois vote nay on this motion.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes.

Mr. Blaikie: New Democrats present vote yes on this motion.

[*Translation*]

Mr. Bernier (Beauce): I vote nay, Mr. Speaker.

[*English*]

[*Editor's Note: See list under Division No. 296.*]

The Acting Speaker (Mr. Milliken): I declare Motion No. 2 defeated. The next question is on Motions Nos. 4 and 6.

Mr. Kilger: Mr. Speaker, I wonder if you might ask the consent of the House to apply the result of the previous vote to the motion now before the House and the one that would follow. In other words, apply the vote on Motion No. 2 to report stage Motions Nos. 4 and 6.

The Acting Speaker (Mr. Milliken): Is there unanimous consent?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 296.*]

The Acting Speaker (Mr. Milliken): I declare Motions Nos. 4 and 6 defeated.

[*Translation*]

Hon. Paul Martin (Minister of Finance, Lib.) moved that Bill C-82 be concurred in at report stage.

[*English*]

Mr. Kilger: Mr. Speaker, I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

[*Translation*]

Mr. Laurin: Mr. Speaker, members of the Bloc Quebecois will vote no.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no.

Mr. Blaikie: Mr. Speaker, New Democrats present vote no.

[*Translation*]

Mr. Bernier (Beauce): Mr. Speaker, I say yea.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 298*)

YEAS

Members

Anderson
Assad
Augustine
Bakopanos
Bélair
Bellemare
Bethel
Bodnar
Boudria
Calder
Catterall
Chan
Collenette
Comuzzi
Cowling
Culbert
DeVillers
Dingwall
Discepola
Duhamel
Easter
English
Flis
Fry
Gallaway
Godfrey
Graham
Guarnieri
Harper (Churchill)
Hickey
Hubbard
Jackson
Keyes
Kirkby
Kraft Sloan
LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lincoln
Malhi
Marchi
Martin (LaSalle—Émard)
McCormick
McKinnon
McTeague
Mifflin
Minna
Murphy
Nault
O'Reilly
Paradis
Patry
Peric
Pettigrew
Pillitteri
Reed
Rideout
Robichaud
Rock
Serré
Simmons
St. Denis
Stewart (Brant)
Szabo
Terrana
Torsney
Valeri
Verran
Whelan
Young
Arseneault
Assadourian
Axworthy (Winnipeg South Centre/Sud-Centre)
Beaumier
Bélanger
Bernier (Beauce)
Bevilacqua
Bonin
Bryden
Campbell
Chamberlain
Cohen
Collins
Copps
Crawford
Cullen
Dhaliwal
Dion
Dromisky
Dupuy
Eggleton
Fewchuk
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Goodale
Gray (Windsor West/Ouest)
Harb
Harvard
Hopkins
Irwin
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Manley
Marleau
Massé
McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Murray
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Payne
Peterson
Pickard (Essex—Kent)
Proud
Regan
Ringuette-Maltais
Robillard
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Stewart (Northumberland)
Telegdi
Thalheimer
Ur
Vanclief
Walker
Wood
Zed—136

NAYS

Members

Ablonczy
Bachand
Bellehumeur
Bernier (Mégantic—Compton—Stanstead)
Breitkreuz (Yellowhead)
Canuel
Crête
de Savoye
Duceppe
Duncan
Fillion
Gagnon (Québec)
Gilmour
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Jacob
Lalonde
Langlois
Lavigne (Beauharnois—Salaberry)
Loubier
Martin (Esquimalt—Juan de Fuca)
Ménard
Meredith
Nunez
Picard (Drummond)
Ramsay
Ringma
Rocheleau
Schmidt
Silye
Strahl
Tremblay (Rimouski—Témiscouata)
White (Fraser Valley West/Ouest)
Althouse
Bélisle
Benoit
Blaikie
Breitkreuz (Yorkton—Melville)
Chrétien (Frontenac)
Cummins
Debien
Dumas
Epp
Frazer
Gauthier
Godin
Grubel
Guimond
Hanrahan
Hill (Macleod)
Hoeppner
Johnston
Landry
Laurin
Leroux (Shefford)
Marchand
McClelland (Edmonton Southwest/Sud-Ouest)
Mercier
Mills (Red Deer)
Penson
Pomerleau
Riis
Robinson
Sauvageau
Scott (Skeena)
Speaker
Tremblay (Lac-Saint-Jean)
Venne
Williams —72

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Acting Speaker (Mr. Milliken): I declare the motion carried.

When shall the bill be read the third time?

[*English*]

Pursuant to order made Thursday, April 10, 1997, later this day.

The next recorded division is on the Senate amendments to Bill C-5.

* * *

● (1305)

[*Translation*]

BANKRUPTCY AND INSOLVENCY ACT

The House resumed from April 11 consideration of the motion on the amendments made by the Senate to Bill C-5, an act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act and the Income Tax Act.

The Acting Speaker (Mr. Milliken): We will now proceed to the taking of the deferred division on the motion.

Mr. Kilger: Mr. Speaker, I believe you will find there is unanimous consent for members who voted on the previous motion to be recorded as having voted on the motion now before the House, with Liberal members voting yea.

Mr. Laurin: Mr. Speaker, members of the Bloc Quebecois will vote nay.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes.

Mr. Blaikie: Mr. Speaker, New Democrats present vote no.

[*Translation*]

Mr. Bernier (Beauce): I say yea, Mr. Speaker.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 299*)

YEAS

Members

Ablonczy	Anderson
Arseneault	Assad
Assadourian	Augustine
Axworthy (Winnipeg South Centre/Sud-Centre)	Bakopanos
Beaumier	Bélair
Bélanger	Bellemare
Benoit	Bernier (Beauce)
Bethel	Bevilacqua
Bodnar	Bonin
Boudria	Breitkreuz (Yellowhead)
Breitkreuz (Yorkton—Melville)	Bryden
Calder	Campbell
Catterall	Chamberlain
Chan	Cohen
Collenette	Collins
Comuzzi	Copps
Cowling	Crawford
Culbert	Cullen
Cummins	DeVillers
Dhaliwal	Dingwall
Dion	Discepola
Dromisky	Duhamel
Duncan	Dupuy
Easter	Eggleton
English	Epp
Fewchuk	Flis
Fontana	Frazer
Fry	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway	Gerrard
Gilmour	Godfrey
Goodale	Graham
Gray (Windsor West/Ouest)	Grey (Beaver River)
Grubel	Guarnieri
Hanger	Hanrahan
Harb	Harper (Churchill)
Harper (Simcoe Centre)	Harvard
Hickey	Hill (Macleod)
Hill (Prince George—Peace River)	Hoeppner
Hopkins	Hubbard
Irwin	Jackson
Johnston	Karygiannis
Keyes	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Lastewka
LeBlanc (Cape/Cap-Breton Highlands—Canso)	Lee
Lincoln	Loney
Malhi	Manley
Marchi	Marleau
Martin (Esquimalt—Juan de Fuca)	Martin (LaSalle—Émard)
Massé	McClelland (Edmonton Southwest/Sud-Ouest)
McCormick	McGuire
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Meredith	Mifflin
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Murphy	Murray
Nault	O'Brien (London—Middlesex)
O'Reilly	Pagtakhan
Paradis	Parrish
Patry	Payne
Penson	Peric
Peterson	Pettigrew
Pickard (Essex—Kent)	Pillitteri
Proud	Ramsay
Reed	Regan
Rideout	Ringma
Ringuette-Maltais	Robichaud
Robillard	Rock
Schmidt	Scott (Fredericton—York—Sunbury)
Scott (Skeena)	Serré
Sheridan	Silye
Simmons	Speaker
Speller	St. Denis
Steckle	Stewart (Brant)
Stewart (Northumberland)	Strahl
Szabo	Telegdi
Terrana	Thalheimer
Torsney	Ur
Valeri	Vanclief
Verran	Walker
Whelan	White (Fraser Valley West/Ouest)
Williams	Wood
Young	Zed—168

NAYS

Members

Althouse	Bachand
Bélisle	Bellehumeur
Bernier (Mégantic—Compton—Stanstead)	Blaikie
Canuel	Chrétien (Frontenac)
Crête	de Savoye
Debien	Duceppe
Dumas	Fillion
Gagnon (Québec)	Gauthier
Godin	Guay
Guimond	Jacob
Lalonde	Landry
Langlois	Laurin
Lavigne (Beauharnois—Salaberry)	Leroux (Shefford)
Loubier	Marchand
Ménard	Mercier
Nunez	Picard (Drummond)
Pomerleau	Riis
Robinson	Rocheleau
Sauvageau	Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Témiscouata)	Venne—40

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Acting Speaker (Mr. Milliken): I declare the motion carried.

* * *

[*English*]

CRIMINAL CODE

The House resumed from April 11 consideration of the motion that Bill C-17, an act amend the Criminal Code and certain other acts, be read the third time and passed.

The Acting Speaker (Mr. Milliken): The next recorded division is on the third reading stage of Bill C-17.

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

[*Translation*]

Mr. Laurin: Mr. Speaker, the members of the Bloc Quebecois will also vote yea.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes unless instructed otherwise by their constituents.

Mr. Blaikie: Mr. Speaker, the New Democrats present vote no on this motion.

[*Translation*]

Mr. Bernier (Beauce): I say yea, Mr. Speaker.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 300*)

YEAS

Members

Ablonczy	Anderson
Arseneault	Assad
Assadourian	Augustine
Axworthy (Winnipeg South Centre/Sud-Centre)	Bachand
Bakopanos	Beaumier
Bélair	Bélanger
Bélisle	Bellehumeur
Bellemare	Benoit
Bernier (Beauce)	Bernier (Mégantic—Compton—Stanstead)
Bethel	Bevilacqua
Bodnar	Bonin
Boudria	Breitkreuz (Yellowhead)
Breitkreuz (Yorkton—Melville)	Bryden
Calder	Campbell
Canuel	Catterall
Chamberlain	Chan
Chrétien (Frontenac)	Cohen
Collenette	Collins
Comuzzi	Copps
Cowling	Crawford
Crête	Culbert
Cullen	Cummins
de Savoye	Debien
DeVillers	Dhaliwal
Dingwall	Dion
Discepola	Dromisky
Duceppe	Duhamel
Dumas	Duncan
Dupuy	Easter
Eggleton	English
Epp	Fewchuk
Fillion	Flis
Fontana	Frazer
Fry	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Gallaway
Gauthier	Gerrard
Gilmour	Godfrey
Godin	Goodale
Graham	Gray (Windsor West/Ouest)
Grey (Beaver River)	Grubel
Guarnieri	Guay
Guimond	Hanger
Hanrahan	Harb
Harper (Churchill)	Harper (Simcoe Centre)
Harvard	Hickey
Hill (Macleod)	Hill (Prince George—Peace River)
Hoeppner	Hopkins
Hubbard	Irwin
Jackson	Jacob
Johnston	Karygiannis
Keyes	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Lalonde
Landry	Langlois
Lastewka	Laurin
Lavigne (Beauharnois—Salaberry)	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lee	Leroux (Shefford)
Lincoln	Loney
Loubier	Malhi
Manley	Marchand
Marchi	Marleau
Martin (Esquimalt—Juan de Fuca)	Martin (LaSalle—Émard)
Massé	McClelland (Edmonton Southwest/Sud-Ouest)
McCormick	McGuire
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Ménard	Mercier
Meredith	Mifflin
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell

Murphy	Murray
Nault	Nunez
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Payne	Penson
Peric	Peterson
Pettigrew	Picard (Drummond)
Pickard (Essex—Kent)	Pillitteri
Pomerleau	Proud
Ramsay	Reed
Regan	Rideout
Ringma	Ringuette-Maltais
Robichaud	Robillard
Rocheleau	Rock
Sauvageau	Schmidt
Scott (Fredericton—York—Sunbury)	Scott (Skeena)
Serré	Sheridan
Silye	Simmons
Speaker	Speller
St. Denis	Steckle
Stewart (Brant)	Stewart (Northumberland)
Strahl	Szabo
Telegdi	Terrana
Thalheimer	Torsney
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Ur	Valeri
Vanclief	Venne
Verran	Walker
Whelan	White (Fraser Valley West/Ouest)
Williams	Wood
Young	Zed—204

NAYS

Members

Althouse	Blaikie
Riis	Robinson—4

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Acting Speaker (Mr. Milliken): I declare the motion carried.

(Bill read the third time and passed.)

[*English*]

BUDGET IMPLEMENTATION ACT, 1997

The House resumed from April 14 consideration of the motion.

The Acting Speaker (Mr. Milliken): The next recorded division is on the referral to committee before second reading of Bill C-93.

[*Translation*]

Mr. Kilger: Mr. Speaker, you will find there is unanimous consent for members who voted on the previous motion to be recorded as having voted on the motion now before the House, with Liberal members voting yea.

Mr. Laurin: Mr. Speaker, the members of the Bloc Quebecois will vote nay.

Mr. Bernier (Beauce): Yea, Mr. Speaker.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no.

Mr. Blaikie: Mr. Speaker, New Democrats vote no.

[*Editor's Note: See list under Division No. 298.*]

(Motion agreed to and bill referred to a committee.)

* * *

CRIMINAL CODE

The House resumed consideration of Bill C-55, an act to amend the Criminal Code (high risk offenders), the Corrections and Conditional Release Act, the Criminal Records Act, the Prisons and Reformatories Act and the Department of the Solicitor General Act as reported (with amendments) from the committee.

The Acting Speaker (Mr. Milliken): The House will now proceed to the taking of the deferred recorded divisions on Bill C-55. The question is on Motion No. 1.

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*Translation*]

Mr. Bernier (Beauce): I vote yea, Mr. Speaker.

(The House divided on Motion No. 1, which was negatived on the following division:)

(*Division No. 301*)

YEAS

Members

Ablonczy
Benoit
Blaikie
Breitkreuz (Yorkton—Melville)
Duncan
Frazer
Grey (Beaver River)
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Johnston
McClelland (Edmonton Southwest/Sud-Ouest)
Mills (Red Deer)
Ramsay
Ringma
Schmidt
Silye
Strahl
Williams—37

Althouse
Bernier (Beauce)
Breitkreuz (Yellowhead)
Cummins
Epp
Gilmour
Grubel
Hanrahan
Hill (Macleod)
Hoeppner
Martin (Esquimalt—Juan de Fuca)
Meredith
Penson
Riis
Robinson
Scott (Skeena)
Speaker
White (Fraser Valley West/Ouest)

NAYS

Members

Anderson
Assad
Augustine
Bachand
Beaumier
Bélanger
Bellehumeur
Bernier (Mégantic—Compton—Stanstead)
Bevilacqua
Bonin
Bryden
Campbell
Catterall
Chan
Cohen
Collins
Copps
Crawford
Culbert
de Savoye
DeVillers
Dingwall
Discepola
Duceppe
Dumas
Easter
English
Fillion
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Gerrard
Godin
Graham
Guarnieri
Guimond
Harper (Churchill)
Hickey
Hubbard
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lalonde
Langlois
Laurin
LeBlanc (Cape/Cap-Breton Highlands—Canso)
Leroux (Shefford)
Loney
Malhi
Marchand

Arseneault
Assadourian
Axworthy (Winnipeg South Centre/Sud-Centre)
Bakopanos
Bélair
Bélisle
Bellemare
Bethel
Bodnar
Boudria
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Collenette
Comuzzi
Cowling
Crête
Cullen
Debien
Dhaliwal
Dion
Dromisky
Duhamel
Dupuy
Eggleton
Fewchuk
Flis
Fry
Gagnon (Québec)
Gauthier
Godfrey
Goodale
Gray (Windsor West/Ouest)
Guay
Harb
Harvard
Hopkins
Irwin
Jacob
Keyes
Kirkby
Kraft Sloan
Landry
Lastewka
Lavigne (Beauharnois—Salaberry)
Lee
Lincoln
Loubier
Manley
Marchi

Marleau
Massé
McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mercier
Mills (Broadview—Greenwood)
Mitchell
Murray
Nunez
O'Reilly
Paradis
Patry
Peric
Pettigrew
Pickard (Essex—Kent)
Pomerleau
Reed
Rideout
Robichaud
Rocheleau
Sauvageau
Serré
Simmons
St. Denis
Stewart (Brant)
Szabo
Terrana
Torsney
Tremblay (Rimouski—Témiscouata)
Valeri
Venne
Walker
Wood
Zed—171

Martin (LaSalle—Émard)
McCormick
McKinnon
McTeague
Ménard
Mifflin
Minna
Murphy
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Payne
Peterson
Picard (Drummond)
Pillitteri
Proud
Regan
Ringuette-Maltais
Robillard
Rock
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Stewart (Northumberland)
Telegdi
Thalheimer
Tremblay (Lac-Saint-Jean)
Ur
Vanclief
Verran
Whelan
Young

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Acting Speaker (Mr. Milliken): I declare Motion No. 1 lost.

● (1310)

The next question is on Motion No. 2.

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*Translation*]

Mr. Laurin: Mr. Speaker, the members of the Bloc Quebecois will vote against Motion No. 2.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes.

Mr. Blaikie: Mr. Speaker, New Democrats present vote no.

[*Translation*]

Mr. Bernier (Beauce): Mr. Speaker, I vote in favour of the motion.

(The House divided on Motion No. 2, which was negatived on the following division:)

(*Division No. 302*)

YEAS

Members

Ablonczy
Bernier (Beauce)
Breitkreuz (Yorkton—Melville)
Duncan
Frazer
Grey (Beaver River)
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Johnston
McClelland (Edmonton Southwest/Sud-Ouest)
Mills (Red Deer)
Ramsay
Schmidt
Silye
Strahl
Williams—33

Benoit
Breitkreuz (Yellowhead)
Cummins
Epp
Gilmour
Grubel
Hanrahan
Hill (Macleod)
Hoeppner
Martin (Esquimalt—Juan de Fuca)
Meredith
Penson
Ringma
Scott (Skeena)
Speaker
White (Fraser Valley West/Ouest)

NAYS

Members

Althouse
Arseneault
Assadourian
Axworthy (Winnipeg South Centre/Sud-Centre)
Bakopanos
Bélair
Bélisle
Bellemare
Bethel
Blaikie
Bonin
Bryden
Campbell
Catterall
Chan
Cohen
Collins
Copps
Crawford
Culbert
de Savoye
DeVillers
Dingwall
Discepola
Duceppe
Dumas
Easter
English
Fillion
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Gerrard
Godin
Graham

Anderson
Assad
Augustine
Bachand
Beaumier
Bélanger
Bellehumeur
Bernier (Mégantic—Compton—Stanstead)
Bevilacqua
Bodnar
Boudria
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Collenette
Comuzzi
Cowling
Crête
Cullen
Debien
Dhaliwal
Dion
Dromisky
Duhamel
Dupuy
Eggleton
Fewchuk
Flis
Fry
Gagnon (Québec)
Gauthier
Godfrey
Goodale
Gray (Windsor West/Ouest)
Guarnieri
Guimond
Harper (Churchill)
Hickey
Hubbard
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lalonde
Langlois
Laurin
LeBlanc (Cape/Cap-Breton Highlands—Canso)
Leroux (Shefford)
Loney
Malhi
Marchand
Marleau
Massé
McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mercier
Mills (Broadview—Greenwood)
Mitchell
Murray
Nunez
O'Reilly
Paradis
Patry
Peric
Pettigrew
Pickard (Essex—Kent)
Pomerleau
Reed
Rideout
Ringuette-Maltais
Robillard
Rocheleau
Sauvageau
Serré
Simmons
St. Denis
Stewart (Brant)
Szabo
Terrana
Torsney
Tremblay (Rimouski—Témiscouata)
Valeri
Venne
Walker
Wood
Zed—175

Guay
Harb
Harvard
Hopkins
Irwin
Jacob
Keyes
Kirkby
Kraft Sloan
Landry
Lastewka
Lavigne (Beauharnois—Salaberry)
Lee
Lincoln
Loubier
Manley
Marchi
Martin (LaSalle—Émard)
McCormick
McKinnon
McTeague
Ménard
Mifflin
Minna
Murphy
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Payne
Peterson
Picard (Drummond)
Pillitteri
Proud
Regan
Riis
Robichaud
Robinson
Rock
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Stewart (Northumberland)
Telegdi
Thalheimer
Tremblay (Lac-Saint-Jean)
Ur
Vanclief
Verran
Whelan
Young

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Acting Speaker (Mr. Milliken): I declare Motion No. 2 lost.

[*English*]

Mr. Kilger: Mr. Speaker, I ask that you seek the consent of the House to apply the result of the previous vote to report stage Motion No. 4.

The Acting Speaker (Mr. Milliken): Is there unanimous consent to apply the vote taken on Motion No. 2 to Motion No. 4?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 302.*]

The Acting Speaker (Mr. Milliken): I declare Motion No. 4 defeated. The next question is on Motion No. 3.

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*Translation*]

Mr. Laurin: Mr. Speaker, the Bloc Quebecois members will vote in favour of Motion No. 3.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes on this motion.

Mr. Blaikie: Mr. Speaker, New Democrats vote yes on this motion.

[*Translation*]

Mr. Bernier (Beauce): Mr. Speaker, the member for Beauce votes nay.

(The House divided on Motion No. 3, which was negatived on the following division:)

(*Division No. 303*)

YEAS

Members

Ablonczy
Bachand
Bellehumeur
Bernier (Mégantic—Compton—Stanstead)
Breitkreuz (Yellowhead)
Canuel
Crête
de Savoye
Duceppe
Duncan
Fillion
Gagnon (Québec)
Gilmour
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Jacob
Lalonde
Langlois
Lavigne (Beauharnois—Salaberry)
Loubier
Martin (Esquimalt—Juan de Fuca)
Ménard
Meredith
Nunez
Picard (Drummond)
Ramsay
Ringma
Rocheleau
Schmidt
Silye
Strahl
Tremblay (Rimouski—Témiscouata)
White (Fraser Valley West/Ouest)
Althouse
Bélisle
Benoit
Blaikie
Breitkreuz (Yorkton—Melville)
Chrétien (Frontenac)
Cummins
Debien
Dumas
Epp
Frazer
Gauthier
Godin
Grubel
Guimond
Hanrahan
Hill (Macleod)
Hoeppner
Johnston
Landry
Laurin
Leroux (Shefford)
Marchand
McClelland (Edmonton Southwest/Sud-Ouest)
Mercier
Mills (Red Deer)
Penson
Pomerleau
Riis
Robinson
Sauvageau
Scott (Skeena)
Speaker
Tremblay (Lac-Saint-Jean)
Venne
Williams —72

NAYS

Members

Anderson
Assad
Augustine
Bakopanos
Bélair
Bellemare
Bethel
Bodnar
Boudria
Calder
Catterall
Chan
Collenette
Comuzzi
Cowling
Culbert
DeVillers
Dingwall
Discepola
Duhamel
Easter
English
Flis
Fry
Gallaway
Godfrey
Graham
Guarnieri
Harper (Churchill)
Hickey
Hubbard
Jackson
Keyes
Kirkby
Kraft Sloan
LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lincoln
Malhi
Marchi
Martin (LaSalle—Émard)
McCormick
McKinnon
McTeague
Mifflin
Minna
Murphy
Nault
O'Reilly
Paradis
Patry
Peric
Pettigrew
Pillitteri
Reed
Rideout
Robichaud
Rock
Serré
Simmons
St. Denis
Stewart (Brant)
Szabo
Terrana
Torsney
Valeri
Verran
Whelan
Young
Arseneault
Assadourian
Axworthy (Winnipeg South Centre/Sud-Centre)
Beaumier
Bélanger
Bernier (Beauce)
Bevilacqua
Bonin
Bryden
Campbell
Chamberlain
Cohen
Collins
Copps
Crawford
Cullen
Dhaliwal
Dion
Dromisky
Dupuy
Eggleton
Fewchuk
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Goodale
Gray (Windsor West/Ouest)
Harb
Harvard
Hopkins
Irwin
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Manley
Marleau
Massé
McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Murray
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Payne
Peterson
Pickard (Essex—Kent)
Proud
Regan
Ringuette-Maltais
Robillard
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Stewart (Northumberland)
Telegdi
Thalheimer
Ur
Vanclief
Walker
Wood
Zed—136

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Acting Speaker (Mr. Milliken): I declare Motion No. 3 lost.

[*English*]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.) moved that the bill be concurred in.

[*Translation*]

Mr. Kilger: Mr. Speaker, I believe you would find unanimous consent that the members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

Mr. Laurin: Mr. Speaker, the Bloc members will be voting yea.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no.

Mr. Blaikie: Mr. Speaker, new Democrats vote yes.

• (1315)

[*Translation*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 304*)

YEAS

Members

Althouse	Anderson
Arseneault	Assad
Assadourian	Augustine
Axworthy (Winnipeg South Centre/Sud-Centre)	Bachand
Bakopanos	Beaumier
Bélair	Bélanger
Bélisle	Bellehumeur
Bellemare	Bernier (Beauce)
Bernier (Mégantic—Compton—Stanstead)	Bethel
Bevilacqua	Blaikie
Bodnar	Bonin
Boudria	Bryden
Calder	Campbell
Canuel	Catterall
Chamberlain	Chan
Chrétien (Frontenac)	Cohen
Collenette	Collins
Comuzzi	Copps
Cowling	Crawford
Crête	Culbert
Cullen	de Savoye
Debien	DeVillers
Dhaliwal	Dingwall
Dion	Discepola
Dromisky	Duceppe
Duhamel	Dumas
Dupuy	Easter
Eggleton	English
Fewchuk	Fillion
Flis	Fontana
Fry	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Gallaway
Gauthier	Gerrard
Godfrey	Godin
Goodale	Graham
Gray (Windsor West/Ouest)	Guarnieri
Guay	Guimond
Harb	Harper (Churchill)
Harvard	Hickey
Hopkins	Hubbard
Irwin	Jackson
Jacob	Karygiannis
Keyes	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Lalonde
Landry	Langlois
Lastewka	Laurin
Lavigne (Beauharnois—Salaberry)	LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lee	Leroux (Shefford)
Lincoln	Loney
Loubier	Malhi
Manley	Marchand
Marchi	Marleau
Martin (LaSalle—Émard)	Massé
McCormick	McGuire
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Ménard	Mercier
Mifflin	Mills (Broadview—Greenwood)
Minna	Mitchell
Murphy	Murray
Nault	Nunez
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Payne	Peric
Peterson	Pettigrew
Picard (Drummond)	Pickard (Essex—Kent)
Pillitteri	Pomerleau
Proud	Reed
Regan	Rideout
Riis	Ringuette-Maltais
Robichaud	Robillard
Robinson	Rocheleau
Rock	Sauvageau
Scott (Fredericton—York—Sunbury)	Serré
Sheridan	Simmons
Speller	St. Denis
Steckle	Stewart (Brant)
Stewart (Northumberland)	Szabo
Telegdi	Terrana
Thalheimer	Torsney
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Ur	Valeri
Vanclief	Venne
Verran	Walker
Whelan	Wood
Young	Zed—176

NAYS

Members

Ablonczy	Benoit
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Cummins	Duncan
Epp	Frazer
Gilmour	Grey (Beaver River)
Grubel	Hanger
Hanrahan	Harper (Simcoe Centre)
Hill (Macleod)	Hill (Prince George—Peace River)
Hoeppner	Johnston
Martin (Esquimalt—Juan de Fuca)	McClelland (Edmonton Southwest/Sud-Ouest)
Meredith	Mills (Red Deer)
Penson	Ramsay

Ringma	Schmidt
Scott (Skeena)	Silye
Speaker	Strahl
White (Fraser Valley West/Ouest)	Williams—32

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Acting Speaker (Mr. Milliken): I declare the motion carried.

When shall the bill be read the third time? At the next sitting of the House.

* * *

[*English*]

AN ACT TO AMEND CERTAIN LAWS RELATING TO FINANCIAL INSTITUTIONS

Hon. Raymond Chan (for the Minister of Finance, Lib.) moved that Bill C-82, an act to amend certain laws relating to financial institutions, be read the third time and passed.

Mr. Barry Campbell (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, it gives me great pleasure to present Bill C-82 for third and final reading. The legislation before us has three main objectives: to strengthen protection for consumers of financial services, to ease the regulatory burden on financial institutions, and to fine tune certain provisions of the financial institutions statutes.

This bill is the product of extensive consultations. We started our review of the financial institutions legislation in 1995 by consulting with a range of stakeholders, including consumer groups, industry representatives and other interested parties.

In June 1996 we released a consultation paper entitled ''A 1997 Review of Financial Sector Legislation Proposals for Changes''. The House of Commons Standing Committee on Finance and the Senate standing committee on banking, trade and commerce held hearings on this paper last fall. Their views and the views of other stakeholders are reflected in the measures in the bill before us today.

Since we tabled Bill C-82 on February 14, we have received comments from interested parties imposing some modifications. In addition, the House of Commons finance committee has conducted a clause by clause study of the bill and passed amendments. As a result, there have been several modifications to the bill since second reading. They are largely technical, mostly helping to clarify the language contained in provisions. As a result of the review, the legislation we have before us will ensure that the best interests of consumers in the financial sector are served.

I would like to elaborate on key measures in the bill. I will begin with a subject of tremendous importance to all of us and that is consumer protection measures. There are several.

First, consumers have made it clear they want better privacy protection in their dealings with financial institutions. Accordingly, the bill before us provides authority to require that financial institutions establish procedures governing the collection, retention, use and disclosure of customer information, implement complaints handling procedures and report annually on complaints. Once the legislation is passed, regulations will be introduced to implement these requirements.

Following up on the recent federal-provincial agreement to harmonize the cost of credit disclosure regulations, the bill enhances the disclosure provisions of the financial institution statutes. As a result of these changes in similar amendments to provincial statutes, disclosure practices will be improved and made uniform throughout the country.

Hon. members on all sides of the House are aware of the concerns about the potential for financial institutions to exert undue pressure on consumers when selling financial products. The government takes these concerns very seriously and is taking preventive action. Bill C-82 includes an amendment to the Bank Act to prohibit coercive tied selling. The government intends to bring the amendment into force on September 30, 1998. But before that date, the government wants to see two things achieved. First, it wants all financial institutions to adopt a policy on tied selling.

• (1320)

Under the policy, financial institutions will be expected to ensure that their staff clearly understand and do not engage in unacceptable sales practices. The policy would seek to maintain high customer and staff awareness of procedures for reviewing tied selling complaints. These procedures must be transparent, timely and fair if they are to be effective. In the case of the major banks, they have internal ombudsmen, all of whom will deal with and report on tied selling complaints.

Second, the government will be seeking guidance from the House finance committee. That committee has been asked to review tied selling concerns across the sector and the progress of financial institutions in addressing concerns through their policies. The committee will also consider how to differentiate between beneficial and anti-competitive forms of tied selling. The government has also asked the Senate banking committee to undertake a similar review of the tied selling matter. This process should enable the government to assess how the self-regulatory procedures have been working.

In the consultation paper, the government resolved to work with financial institutions and consumer representatives to improve access to basic financial services for low income Canadians and information about fees for all Canadians.

While the government is not proposing legislative changes in these areas, the major banks have made a number of commitments to address consumer concerns. For example, to improve access they have agreed to ensure that only two pieces of signed identification will be required to open accounts or cash cheques. This is decreased from the current requirement of three.

Also, employment will not be a requirement for opening a bank account and staff will be trained to follow these policies and be sensitive to the needs of low income people. The banks will also ensure that clear and understandable information about products and services, including low cost banking options and ways of minimizing service fees, is readily available in publicly accessible areas in branches.

Moreover, the banks are working with Industry Canada using Industry Canada's Internet site to provide information to help Canadians choose the right financial services for them, minimizing costs.

During the consultation process we heard convincing testimony about regulatory burden. We want to act on what we heard. Bill C-82 contains important changes for foreign banks, changes that will lower costs and improve operational efficiency which will benefit many Canadians. In particular, regulated foreign banks which own a schedule II bank will no longer be required to hold other financial institution subsidiaries through a schedule II bank.

The bill also proposes changes to ease regulatory requirements for near banks. Near banks are those entities which do not generally take deposits, that are not regulated as banks in their home jurisdiction, but do provide one or more banking type services.

The approval requirement for near banks will be reduced. Once they receive an initial approval to enter the market, they will not need further approvals. The condition is that their unrelated activities not include taking retail deposits.

In addition, the government plans to develop a new framework for the entry foreign banks, including a new branching regime. This regime will encourage new banks to enter the Canadian marketplace and allow existing foreign banks greater opportunity to compete. It should be noted, however, that this latter initiative will continue on a separate track from the legislation before us today.

Until the new entry framework is developed, foreign companies offering a limited range of financial services and now operating unregulated in Canada as well as new entrants that meet certain criteria will be allowed to continue operations as unregulated financial institutions.

Another element of the bill recognizes that banks are not all the same. Some do not need the retail deposit insurance offered by the CDIC. This is the case for banks which deal mostly in the wholesale market. The government will permit banks that do not take retail deposits to opt out of CDIC coverage, provided they are not affiliated with another CDIC member. This will reduce their costs and streamline regulatory requirements.

The bill extends the in house powers of financial institutions. Currently financial institutions can engage in certain types of businesses only through subsidiaries. After reviewing the types of business that must be carried out through subsidiaries, the government has decided to permit financial institutions, with the approval of the Minister of Finance, to carry on both information processing and specialized financing activities in house. These changes will reduce the operating costs associated with those activities by promoting effective management. Furthermore, the increased flexibility for specialized financing activities will improve access to venture capital for Canadian small businesses.

A number of changes are proposed to streamline the self-dealing regime. This regime implements control over transactions between financial institutions and persons who are in positions of influence over or control of the institution.

● (1325)

While the government believes that the basic framework remains sound, certain provisions of the regime impose unnecessary costs. Bill C-82 therefore streamlines the operations but the conduct review committee narrows the range of related parties and allows subsidiaries of the federal financial institution to transact with each other.

These are all important initiatives aimed to cut down regulatory burden. The initiative before us does not stop there. We are proposing to fine tune legislation.

Changes have been introduced in the area of corporate governance to encourage financial institutions to adopt appropriate processes to manage risks. For instance, the duties of the audit committee will be clarified. The rights of policy holders of insurance companies will be enhanced. For example, the bill proposes to reduce the number of policy holders' signatures needed to allow for a proposal nominating directors to be circulated in advance of the meeting.

Regulatory adjustments will be made to provide more flexibility to financial institutions seeking to enter into joint ventures. These adjustments will enhance the ability of financial institutions to make alliances, enter new markets and compete more effectively at home and abroad.

The legislation also includes a number of amendments to enhance access to capital for mutual insurance companies. First, such companies will be permitted to issue participating shares and second, flexibility will be added to the demutualization regime and it will be extended to apply to all mutual life companies, not just

the small ones. It should be noted, however, that a large mutual insurance company will be required to remain widely held once it is converted into a stock company.

[*Translation*]

A few days ago, the opposition raised the issue of transferring policies. This is an important issue and I would like to say a few words about it.

A solution to this problem will require more studies and consultations. The mechanisms of supervision and the contractual rights of those insured must both be taken into account. Consultations are already under way between representatives of the federal government and of the Province of Quebec. Following these consultations with the provinces concerned, we will be able to arrive at a satisfactory solution in the near future.

But I must add that Bill C-82 contains a great number of favourable measures. All major stakeholders and myself want to see this bill passed as quickly as possible.

[*English*]

There you have it, Mr. Speaker, a pretty significant package of changes, important to the well-being of consumers of financial services and that is just about all of us. It is important to the financial sector and this too is significant for all of us because this vital sector underpins the whole economy.

I urge the House to move quickly to pass this important legislation.

[*Translation*]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, it is with some pleasure that I debate this bill at third reading. I am also very disappointed by the results of the vote held a few minutes ago in the House.

Let us begin with the few positive notes to be found in Bill C-82. The official opposition is happy to have helped remove two important sectors from this revision of the financial institutions act.

The first of these sectors is the sale of insurance through chartered banks. You will recall that about two years ago the banks asked the federal government, specifically the Minister of Finance and the secretary of state responsible for financial institutions, to allow insurance products to be sold by chartered banks, thus creating undue, not to say unfair, competition with insurance brokers and underwriters in Quebec and in Canada.

The Bloc Quebecois fought very hard to have this provision dropped from the bill before us, and we won. It is, in our view, one of the great victories of the official opposition and of the Bloc Quebecois since the beginning of this term of office.

The second sector of Bill C-82 where there is some cause for satisfaction is the leasing sector.

• (1330)

Once again, the Canadian chartered banks claimed, a few years ago, to be accredited to offer car leasing arrangements to consumers. Car dealerships in Quebec, as in Canada, rose up in opposition to this. The Bloc Quebecois took up arms over this both in the House and in the finance committee on their behalf, and we won the day.

Why did we share the dealers' opposition to the banks' offering car leasing? Purely and simply, because the dealerships did not have the guarantee of the financial institutions, nor of the federal government and the Minister of Finance, that the banks would be prevented from owning fleets of automobiles.

The second major reason for our opposition, and that of the dealers of Quebec and Canada, was competition-related. Let me explain. The banks lend money to dealerships, and if they were also involved in selling car leasing services, the free play of competition would be somewhat distorted.

The banks would have had a major lever for unfair competition with dealers; for instance, they could have cut back on their lines of credit. We had no guarantee on this, and that is why we did not hesitate in the least, right from the first weeks, to support the car dealerships in Quebec and in Canada that were calling for these guarantees, before the banks could be allowed to offer leasing. So those are the two good things about Bill C-82.

On the down side, I have just referred to the vote taken in this House a few minutes ago at the report stage, when the three amendments proposed by the Bloc Quebecois were defeated by the Liberal majority—by the Reformers as well, but that is less important. The Liberal majority defeated our three amendments.

And what were those amendments? The first one objected to a provision in Bill C-82 under which financial planning, which is strictly a provincial matter, will be regulated by federal legislation through the chartered banks.

In other words, the banks may offer financial and financial planning services, which come under provincial jurisdiction, and those which offer these services will not be subject to Quebec law or Ontario law or any other provincial legislation. However, those which offer financial planning services through bank branches will be subject to federal legislation.

This is the kind of intrusion we always felt was entirely unacceptable. In our amendment, which was defeated unanimously by the Liberals, we suggested a form of opting out.

When provincial laws to that effect exist in a province, the provincial legislation applies to financial planning services offered through banks and other institutions. Where such legislation does not exist, the federal legislation applies.

From the outset, the intent of our amendment was to provide for opting out, so that provincial jurisdictions would be respected. The Liberals turned down a reasonable proposal. They said no and preferred to add to the regulatory burden.

From now on, in Quebec, Ontario and the other provinces, there will be not one legislation to regulate financial planning services but two. We have become accustomed to this tendency which, instead of removing or relieving the burden on the financial sector, favours adding more regulations, resources and all manner of things which, in the final instance, merely increase inefficiency and create uncertainty, which includes passing this kind of legislation and turning down reasonable amendments that allow for opting out in areas under the exclusive jurisdiction of the provinces.

• (1335)

The second amendment we proposed concerns tied selling, in other words, putting pressure on the consumer to buy services in addition to those he is seeking from a financial institution. In fact, the issue of tied selling comes under the Consumer Protection Act. The Consumer Protection Act is provincial and covers an area under provincial jurisdiction.

Once again, the Liberals preferred to drop our amendment which suggested opting out as a possibility where the provincial legislation provides adequate protection for the consumer.

I think our colleagues opposite and this government generally do not know the meaning of exclusive. Exclusive jurisdiction means there is only one player, not two or three. Instead of abiding by the definition given in the dictionary, they prefer to add more bureaucracy. They go overboard on regulating, protecting and developing the system, wrapping it in the Canadian federalist flag.

Federalism, according to members opposite, is supposed to be synonymous with greater efficiency, certainty and stable markets. When we talk about the financial sector, stability is important. Instead, in the past two years, and especially in the case of this bill, the government has proved the very opposite is true by trespassing on provincial jurisdictions and adding new levels of regulations.

The federal regime is synonymous with overlap, inefficiency, duplication, over regulation, uncertainty and instability. So much so that the players in the financial sector—and, as finance critic for the past two years I have met people in the financial sector in both Quebec and Canada—do not know whether they are coming or going. They sometimes wonder what sort of crazy world they are in, since everywhere else there are two watchwords: deregulation and performance.

What we have seen in the financial sector for two years is over regulation, administrative sluggishness and reduced ability to compete among the businesses in the various sectors, including finance. Speaking of competition, and the competitive strength of businesses operating in the financial sector, this was the focus of our third amendment, which was roundly defeated by the government for no apparent reason.

I have so much to say, and since you are giving me the time to say it, I must be able to get out my arguments. I was saying that there is a third amendment concerning competitiveness, the ability of a company operating in the financial sector to compete. Under Bill C-82 and federal legislation on insurance companies, which we thought this bill was amending, a provincially chartered insurance company cannot acquire either all or part of an insurance company that is federally chartered.

I will give the example of Quebec, because we have a blatant example of companies being blocked from becoming fully competitive. A Quebec insurance company operating in the Quebec insurance market cannot acquire blocks of insurance policies from another company that is also operating in the Quebec market, if the latter company is federally chartered.

• (1340)

On the brink of the 21st century, when we should be talking about unrestricted competition, free markets and efficiency, this provision in Bill C-82, uncorrected in federal legislation on insurance companies, is incongruous to say the least. I would say it runs counter to the spirit of the North American Free Trade Agreement, which talks of unrestricted competition and economic and financial integration.

It is also contrary to the spirit of the last treaty, in 1993, of the World Trade Organization, which already contained provisions to liberalize the financial sector internationally and which is continuing—starting a few days ago in Geneva—to talk about greater liberalization, a more permissive environment if you like, with respect to international financial transactions, regardless of their nature or the country of origin of businesses operating in the financial sector.

We have here an obvious case of barriers that are not commensurable with the effective operation of the insurance market. It is something that is a bit strange and that has the effect of making it easier for foreign companies—French, Brazilian, German, Italian, Norwegian, Finnish, you name it—to buy operations, in whole or in part, from Canadian insurance companies, something that provincially chartered insurance companies in Quebec are not allowed to do. It is complete craziness.

Like most branches of insurance companies operating in Canada, branches of foreign companies are federally chartered. Federal legislation therefore makes it easier for them to do business in Canada and in Quebec than for Quebec entrepreneurs. This state of affairs is quite simply unacceptable.

I will take the example of L'Entraide. This is a company whose head office is located in Quebec City. It is average in size. It hopes to take advantage of the development of the insurance market and the great rationalization now taking place. It wants to grow and improve its performance and its presence, and it has the chance to do so by buying up a block of insurance policies from a federally chartered company, whose clientele is located entirely in Quebec, for $1.3 million.

This may sound like a huge amount to taxpayers listening today, but in the field of insurance, where certain transactions run in the billions of dollars every week, it is not all that much. Compared to the transaction we saw last weekend in *Les Affaires*, this is not going to shake up the insurance sector. We will come back to the other acquisition I mentioned, which appeared in *Les Affaires.*

So the insurance company L'Entraide, a Quebec company with a provincial charter, wants to acquire a block of $1.3 million of insurance in order to expand, to enhance its efficiency and competitiveness in the broadened North American and international markets. The federal government says it is not allowed to do so. It is not allowed to do so because it is a provincially chartered company, and a provincially chartered insurance company is not allowed to purchase, in whole or in part, the activities of a federally chartered insurance company. Even if this federally chartered company is involved in the Quebec market, has Quebec insurance policies, the provincially chartered company is not entitled to acquire those $1.3 million in insurance blocks. That is utterly unacceptable. That is discrimination, pure and simple.

• (1345)

This is all the more discriminatory in that most insurance companies, which are Quebec subsidiaries of foreign companies, are federally chartered. The four major Canadian insurance companies, with head offices in Toronto, are federally chartered.

So, by continuing this discrimination and rejecting the amendment we proposed at the report stage, the government is offering the insurance companies and subsidiaries of foreign companies an opportunity on a silver platter to expand in the Quebec and Canadian market, to increase their profits, and their shareholders' dividends, through policy holders in Quebec and Canada.

Moreover, the four major Toronto-based federally chartered insurance companies are allowed to expand in Quebec by acquiring blocks of insurance, and they are entitled to do so because of their federal charters. Yet a Quebec insurance company operating within Quebec cannot do the same. If being ridiculous were fatal, there would be no one alive on the other side of the House. It is a mental aberration to maintain such discriminatory treatment toward Quebec insurance companies.

We heard all manner of things during the debate on continuation of this restriction. One of the arguments presented by the government—I was going to say the opposition, since they are the opposition as far as our amendment is concerned, you understand what I mean—one of the major arguments presented by the Minister of Finance, by the Secretary of State responsible for financial institutions, by the assistant to the Minister of Finance as well, was that consumer protection came first and foremost.

Consumers would not be sufficiently protected if provincially chartered insurance companies were allowed to acquire blocks of insurance from federally chartered companies. They are more protected when the one acquiring such insurance holds a federal charter, even if it is a subsidiary of a foreign company with its head offices way off in God knows what country. In that case, the consumers are properly protected.

On the other hand, if the acquiring company is a Quebec insurance company, regardless of how good the consumer protection is, no way. But the Minister of Finance, the secretary of state and senior officials go into a blue funk when you mention anything that would promote the expansion of the Quebec insurance sector.

Whether they operate under a provincial or federal charter, insurance companies in Quebec must apply annually for a licence to the inspector general of financial institutions of Quebec. Every year, the inspector checks the solvency of all insurance companies operating on Quebec soil before issuing a licence that must be renewed every year.

Second, the inspector general of financial institutions requires all insurance companies, under provincial or federal charter, to be members of the Société d'indemnisation d'assurance de personne, which is also involved in providing maximum protection for the consumer.

When we have a situation like this where we are watertight as far as solvency is concerned, whether the charter is provincial or federal, and where plenty of checks and balances are provided by the inspector general of financial institutions and the Société d'indemnisation d'assurance de personne, using consumer protection as an argument no longer makes any sense.

If that is the main objection, it no longer exists because whatever their charter and whether they operate in Quebec or Canada, insurance companies cannot be faulted on consumer protection.

• (1350)

Consumers can depend on the system, and policy holders are protected on the Quebec market by the inspector general of financial institutions and within the Canadian context by the Société d'indemnisation des assurances de personne. So what is the problem? Why are they so reluctant to move? They are in such a funk that a golden opportunity was missed for a company like L'Entraide d'assurance-vie du Québec to acquire a block of insurance worth $1.3 million.

They are so reluctant to move, although they have run out of arguments to prevent this kind of company from expanding, from becoming more efficient and a bigger player in a very competitive insurance market and even more so with the liberalization of the financial sector throughout the world.

On the weekend, I read an article I mentioned earlier, in *Les Affaires*, which said that Royal Life Canada had acquired an interest in Gerling Global. For your information, Mr. Speaker, Royal Life is a branch of a British insurance company. Gerling Global, which sold the blocks of insurance, is a branch of a German company. On the weekend, these two branches of foreign companies operating on Canadian soil, both under a federal charter, concluded a transaction in which Royal Life acquired part of the life insurance portfolio of Gerling Global for $12 billion. Twelve billion dollars, Mr. Speaker.

Two companies, subsidiaries of foreign insurance companies, one British and the other German, were allowed to acquire a block, to carry out a transaction involving a transfer of $12 billion worth of insurance business. Federal legislation permitted this, but it does not permit Entraide, a Quebec insurance company, to buy a $1.3 million block of insurance policies from a federally chartered Canadian company. That is ridiculous.

On the other hand, we keep hearing that we must look out, that there are consumer protection problems. My eye, Mr. Speaker. On April 8, I wrote the Minister of Finance to remind him that there was a problem here. The Quebec minister of finance has also said there was a big problem in this area. I think the government's inertia is hiding something.

It is not that this is a complex issue. It is straightforward. The government had only to accept our amendment today instead of rejecting it, and the matter would have been resolved. The problem is one of pure discrimination against Quebec insurance companies. It is so discriminatory that the Quebec minister of finance even offered to amend the Quebec law on trusts and savings companies, which discriminates to some extent against federally chartered trust companies. But he was turned down.

Mr. Landry said he was prepared to amend the Quebec law on trust companies so long as the federal government were quick to do the same thing to legislation on financial institutions to enable provincially chartered insurance companies to acquire blocks of insurance from federally chartered companies. The Minister of Finance turned up his nose at this attractive proposal, made in the spirit of free trade and aspirations for the future of the financial sector in Quebec and Canada. He preferred to continue to discriminate against Quebec insurance companies.

• (1355)

Two questions arise: First, is this not a way of eliminating provincially chartered companies? Second, is this not a way for the federal government to say: ''It is true that insurance comes under the exclusive jurisdiction of the provinces, but we do not want to change that''.

And the backhanded way to change things is perhaps to make it increasingly less profitable to have provincially chartered companies. Insurance companies will need federal charters in order to benefit from globalization, in order to achieve a more competitive position in the insurance market.

Is that it? If so, let the federal government tell us they want to restrict us in a field that supposedly comes under our exclusive jurisdiction, according to the Canadian Constitution that the members opposite say they respect and that they ignore every day. If they want to take this field of jurisdiction away, let them come right out and say so, because that is what it looks like.

But if that is not the case, what is behind this sullen attitude of the government and of the Minister of Finance toward an amendment that is and should have been logical, if the members opposite had indeed been logical?

We think there is perhaps another explanation. I was speaking earlier about the four or five Toronto-based Canadian insurance companies that dominate the market. I would remind members that these companies all have federal charters. The top four companies are being left lots of room so that when another insurance company wants to cease operations they can buy up insurance policies and continue to grow, to make profits and to pay dividends to their shareholders, while our provincially chartered insurance companies in Quebec cannot do what they wish in their own market with respect to Quebec policy holders.

We sometimes wonder if it is not these very companies, Canada Life, London Life, Sun Life Insurance Company of Canada and Manulife Financial, all great contributors to the coffers of your charming Liberal Party to the tune of $50,000—not bad as contributions go—that the government wants to help in future and for which it wishes to maintain privileges that are unjustified and

discriminate against Quebec's provincially chartered insurance companies.

The opposition is sorely disappointed with the government's attitude on this matter, but is, in a way, pleased that the Minister of Finance has, at least, agreed to meet the key shareholder of L'Entraide, the official opposition critic—myself—and a representative of the Government of Quebec, next Thursday in his office for a discussion of this matter.

It is most unfortunate, however, that our amendment, which would have settled this question for once and for all, has not been accepted. Our expectations of the meeting with the Minister of Finance this week, after the rejection of the official opposition amendment, encompass two possibilities.

The first is that he will assure us that he will be prompt in introducing a private member's bill from his department to remedy the injustice and discrimination being experienced by Quebec insurance companies. The second is that he will announce that he will be shortly tabling a notice of a ways and means motion clearly setting out his intention to move quickly, when we are back after the coming election, to pass a bill amending Bill C-82, to ensure that this discrimination toward provincially chartered insurance companies no longer exists, as it does in the current legislation on insurance and the current bill.

The Speaker: My dear colleague, it being nearly 2 p.m., I wonder if you would consider resuming your speech after oral question period, when you would again have the floor.

Mr. Loubier: I was just winding up, Mr. Speaker.

The Speaker: Very well. You have about 15 seconds.

Mr. Loubier: Mr. Speaker, I was saying that it is a sad thing to have to face the music, but I hope that the government will listen to common sense and that, starting Thursday, provincially chartered insurance companies will be allowed to do exactly the same as other insurance companies, that is to have a certain latitude in their areas of jurisdiction and to be able to hold their own in an increasingly competitive field.

STATEMENTS BY MEMBERS

[*English*]

HOUSE OF COMMONS

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, recently members of the American Congress from both Democratic and Republican ranks spent a weekend together, the objective being how to do their political business and be civil to each other at the same time.

I am not advocating a weekend getaway but there are two important points in all of this. First, other legislative bodies are aware of behavioural problems and, second, they are attempting to do something about it.

Canadians do not want near fist fights or porcine comparisons in the House. They want debate and ideas presented in an atmosphere of civility.

Before Barnum and Bailey take possession of this place, we of whatever political stripe should stop, look and listen, just like those much younger than us, before we engage in classroom antics.

* * *

MEMBER FOR CALGARY CENTRE

Mr. Jim Silye (Calgary Centre, Ref.): Mr. Speaker, as this is my last member's statement I would like to mention things I remember as the MP for Calgary Centre.

It was a chance to get to know MPs from all across Canada; to listen for the melancholy bells which bring us into the House to vote; to play musical chairs in the House of Commons; to work on my tan while playing football on Parliament's front lawn; to be affectionately referred to by the Liberals as the $150,000 man; to have the Speaker rule my definition of a bribe out of order; to need an extra two minutes to finish a 40-minute speech; to refuse, along with 50 of my colleagues, to take the gold plated pension plan as a display of leadership by example; and to represent and vote the wishes of my constituents as opposed to always having to vote the party line, proof that free votes work.

Finally, I will always remember the phrase I used when I was Reform Party whip.

[*Translation*]

''Mr. Speaker, members of the Reform Party vote yea, except for those who wish to vote otherwise''.

* * *

NATIONAL VOLUNTEER WEEK

Mrs. Eleni Bakopanos (Saint-Denis, Lib.): Mr. Speaker, I am pleased to rise today on the occasion of National Volunteer Week to pay tribute to the millions of women in Canada who volunteer their time and energy to help others and to support causes dear to their hearts.

[*English*]

National Volunteer Week was first proclaimed in 1943. The leadership role that women's organizations such as the Women's Voluntary Service played back then can still be felt today.

[*Translation*]

In Montreal, the Centro Donne Italian women's centre continues to work hard. Happily, we are seeing more and more men joining women in volunteer activities, as can be seen from their presence

in organizations such as Moisson Montréal, the Ahuntsic-Sud volunteer centre, the Ahuntsic Lions' Club and the Knights of Columbus.

[*English*]

Let us applaud the efforts of these women and men for the contributions they make to the well-being of our country.

* * *

VIMY RIDGE

Mr. Glen McKinnon (Brandon—Souris, Lib.): Mr. Speaker, April 9 marked the 80th anniversary of the battle of Vimy Ridge. Following extensive planning and training the Canadian corps achieved victory where other armies before it had failed, but did so at a cost of 10,000 casualties and 3,600 dead.

The battle was a defining moment for the Canadian army but more particularly for Canada as a nation.

This past weekend CFB Shilo opened a special Vimy exhibit at its Royal Canadian Artillery Museum. At this time I salute all veterns of World War I but in particular three western Manitobans present at the ceremony: Bill Henton, Rosewell Mellick and Fred Burguess.

* * *

LAND MINES

Mrs. Carolyn Parrish (Mississauga West, Lib.): Mr. Speaker, Canadians have been asked to present a paper to the North Atlantic Assembly this spring raising awareness of the worldwide problem of land mines. It will highlight the growing technological gap between land mines and the methods currently available for clearing them.

With 119 million anti-personnel land mines in 71 countries all over the world, 20 are being put in place for every 1 removed. Land mines prevent the reconstruction of basic infrastructure, keeping these countries dependent on foreign aid.

Canada has one of the most advanced technologies in mine detection and removal in the world and a foreign affairs minister who has been recognized with a Nobel Peace Prize nomination for his leadership in this area.

I thank David Saint, Major Harry Burke and Lieutenant-Colonel Normand Levert at the Department of National Defence and John Evans at DRE Suffield for their enthusiastic assistance in the preparation of the report. I also thank Susan Howell and Eric Walsh in the Department of Foreign Affairs.

Canada must continue to lead the way in this subject.

• (1405)

[*Translation*]

ÎLE AUX BASQUES

Mr. Paul Crête (Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, as is true for the most beautiful sites in Quebec, l'Île aux Basques has always been a source of inspiration, both for those who aspire to be poets and for those who have already attained that stature.

The Société Provencher d'histoire naturelle du Canada, which owns this enchanting island, has shared the island's beauty and charm with visitors. The large numbers of people who have been to l'Île aux Basques consider it a place of magic. This island's capacity to captivate and attract is truly magical. It takes visitors back to basic values such as simplicity, sharing and friendship.

The Société Provencher wanted to mark the 75th anniversary of its founding in a special way by publishing a book about the island it has protected so carefully since 1929.

On the occasion of the 300th anniversary of Trois-Pistoles, I urge the public to pay a visit to this historic and stimulating site.

* * *

[*English*]

GWAII HAANAS NATIONAL PARK

Mr. Svend J. Robinson (Burnaby—Kingsway, NDP): Mr. Speaker, in 1988 the governments of Canada and British Columbia signed a memorandum of agreement for the protection of what has since become Gwaii Haanas National Park Reserve or Haida heritage site and for the proposed establishment of an adjacent marine protected area in the Pacific Ocean.

This is a magnificent part of the world. The islands and waters of Gwaii Haanas have been home to the Haida people for more than 10,000 years and continue to sustain their contemporary culture today.

Last month a very important step was taken toward the creation of this national marine conservation area. It would be the first national marine conservation area on Canada's west coast. Four oil companies made a donation of mineral permits, the largest donation of mineral permits in Canada's history, to advance this important project.

Today I urge the Government of Canada to move quickly to join in the partnership among the Government of British Columbia, the Haida people and others to make this magnificent national marine conservation area a reality.

As Paul Pearson of the Haida nation said, the Haida people have always sought to protect the Haida Gwaii for all generations. I hope the Government of Canada will move it forward.

* * *

[*Translation*]

TOURIST INDUSTRY

Mr. René Canuel (Matapédia—Matane, BQ): Mr. Speaker, the riding of Matapédia—Matane is a popular tourist destination.

Today, I wish to congratulate several people whose contribution to the tourism industry was recognized at the gala evening for the Grand Prix du tourisme. Pierrette Molaison, owner of Éditions du Flâneur, a company in Matane, won two awards at the gala evening on the weekend.

Bertrand and François Rioux, also from Matane, are active promoters of the tourism industry in the region. They founded the Riôtel hotel chain which now includes a number of local tourism establishments. Their contribution was also recognized at this gala evening.

Finally, during the same evening, the Camp théâtre de l'Anse de la ville de Maria was honoured for its excellent work. The Comité du centenaire de Causapscal won the grand prize for the event of the year.

Congratulations to all.

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[*English*]

MEMBER FOR CAPILANO—HOWE SOUND

Mr. Herb Grubel (Capilano—Howe Sound, Ref.): Mr. Speaker, as this is my last member's statement let me give thanks to my constituents for their trust; thanks to my effective riding association directors, especially President Brice Macdougall, Keith Bower and Bob Drummond; thanks to Lynda MacKay and Anita Brent who ran my offices with great efficiency and to Greg Haymes, my able researcher; thanks to all my caucus colleagues who put up with me and taught me a lot; thanks to the chair and members of the finance committee who made hearings an almost enjoyable job; thanks to all elected members who have remained civil during the political battles; and thanks to my wife Helene for her support and love through all the trials of the last three years.

I say thanks to them all. It has been a great privilege and learning experience.

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TOONIES FOR CANADA

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, yesterday Mr. Tom Dykes and students from Notre Dame Secondary School in Burlington met with the Prime Minister to promote the Toonies for Canada campaign which focuses on the sale of a poster containing the lyrics of the bilingual song ''Unity''.

Copies of the poster have been distributed to 3,500 high schools across Canada encouraging councils to order and sell the posters. I am most pleased to support this national unity campaign initiative which in P.E.I. would raise funds for a Joe Ghiz memorial scholarship fund.

● (1410)

Given the commitment and dedication of our former premier to the unity of Canada, I can think of no greater tribute to his memory than the contributions of funds from this campaign to a scholarship fund in his name.

I congratulate and thank Mr. Tom Dykes and all the students in P.E.I. and across Canada for their contribution to national unity.

* * *

BEIJING CONCORD COLLEGE

Ms. Albina Guarnieri (Mississauga East, Lib.): Mr. Speaker, this coming September will mark the opening of the Beijing Concord College. This unique institution on the outskirts of China's capital city will open its doors to Chinese and Canadian students who will earn diplomas recognized by both Canada and the People's Republic of China.

The New Brunswick department of education and the founders of this college have collaborated to create a visionary institution that will become an educational bridge between our two countries fostering understanding and opportunity.

The language and business skills learned at the college will give future graduates the foundation to develop joint ventures and trade opportunities between Chinese and Canadian businesses and will build on the $8 billion of bilateral trade already benefiting both countries.

I congratulate the province of New Brunswick and the founders of the Beijing Concord College, especially Mr. Francis Pang, for their global vision and foresight in developing this landmark educational partnership between Canada and China.

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BALLARD POWER SYSTEMS

Mr. Harbance Singh Dhaliwal (Vancouver South, Lib.): Mr. Speaker, the government has spoken about investing in future industries. Last November the Prime Minister visited one of those industries, Ballard Power Systems. The government has invested $30 million in that company which is looking into new types of energy resources.

The government is going in the right direction because yesterday German transportation giant, Daimler-Benz, the maker of Mercedes Benz, and Ballard Power jointly announced three deals worth a total of $508 million to develop Ballard's fuel cell

technology which can power energy efficient vehicles without combustion.

It is clear that B.C. is leading Canada in the development of clean energy resources. We welcome Ballard Power's growing influence in the research and development of new forms of transportation.

We recognize that it will be a good investment in future jobs that will be created in the next century.

* * *

[*Translation*]

MAPLE SECTOR

Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ): Mr. Speaker, I had the pleasure of attending the official opening of l'Éveil du printemps inc., a maple bush owned by Vallier Robert.

Located in Auclair, east of Lake Témiscouata, this new business is developing new, high quality products. It manufactures four alcoholic beverages using maple sap. Mr. Robert said we had to look for ways to breathe new life into the maple sector and should realize there are no limits to the ways in which we can tap the resources of our forests.

In fact, this young maple tree farmer initiated a research and development project focusing on maple tree farming and regional development, in partnership with the National Research Council of Canada, the purpose being to diversify the use of maple sap and add to the value of our regional products.

Mr. Robert is one of those young people who are blessed with the kind of initiative and ambition of which their family, their region and often even their country can be proud.

Congratulations, Mr. Robert, and the best of luck.

* * *

[*English*]

REFORM PARTY BREAKFAST

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, members of the Reform Party wish to announce that a continental breakfast will be served by Reform Members of Parliament to all non-partisan staff and the pages of the House of Commons who wish to visit any time between 7.30 and 9 tomorrow morning, April 16, in room 200 in the West Block.

This gesture has never before been extended to Hill staff, to our knowledge. It will be our pleasure to serve them breakfast, a cup of coffee and offer a sincere thanks from MPs to the employees of the House of Commons, people who work so faithfully all year round to support all members of the House, regardless of their political persuasion, in the service of the country.

I speak for all members of the House when I say that House of Commons employees are unfailingly courteous and efficient and quick to perform their duties thoroughly, with a smile thrown in for good measure. Without these qualities the House would not function and the people's business would be left undone.

A heartfelt thanks to all of them. We will see them tomorrow morning.

* * *

[*Translation*]

MEMBER FOR SHERBROOKE

Mr. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, rather than take pleasure in the Government of Canada's investment of $950,000 in the renovation of the Sherbrooke airport, the Conservative leader, blinded by political partisanship, made the following statement in the daily, *The Tribune*: ''The federal government is doing this for political reasons. For election purposes, it is going to lose the $100,000 the Government of Quebec promised the City of Sherbrooke''.

• (1415)

He is off the mark. The member for Sherbrooke's logic takes some real mental gymnastics to grasp.

I suggest he be happy at the investment in the Sherbrooke airport, and I thank the mayor of Sherbrooke and the airport authorities for the words of praise they had for the federal government and the member for Brome—Mississquoi for having made this a success.

What we need in the Eastern Townships are Liberal members.

* * *

LACHINE CANAL

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, the Minister of Canadian Heritage, her colleague the Secretary of State for the Federal Office of Regional Development and the mayors of the cities of Montreal and Lachine yesterday announced a major project to repair the Lachine canal.

This project, estimated at over $82 million will be carried out over five years and mean the creation of over 4,000 jobs during the construction stage. The Lachine canal, which was at the heart of Canada's economic development, will come to life again with this project. An estimated 1.2 million visitors will use the canal facilities once the work is completed.

Our government is proud to be a partner in the reopening and revitalization of the Lachine canal. This is further proof of this government's commitment to support Montreal's economic development.

[*English*]

VACANCY

NUNATSIAQ

The Speaker: It is my duty to inform the House that a vacancy has occurred in the representation, namely Mr. Jack Iyerak Anawak, member for the electoral district of Nunatsiaq, by resignation effective April 15, 1997.

[*Translation*]

Pursuant to subsection 25(1)(b) of the Parliament of Canada Act, I have addressed a warrant to the Chief Electoral Officer for the issue of a writ for the election of a member to fill this vacancy.

ORAL QUESTION PERIOD

[*Translation*]

THE CONSTITUTION

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, yesterday, in Toronto, Brian Mulroney was asking Canada to make new offers to Quebec to make up for the constitutional insult it suffered in 1982. According to the President of Treasury Board, however, Ottawa has kept its promises, there is no problem, everything is fine, Constitution-wise.

Because it is totally incapable of any solution whatsoever, the Liberal government is quite simply denying persistently that a flagrant injustice was done to Quebec in 1982.

Does the Prime Minister agree with his Quebec lieutenant that everything is settled, that there is nothing serious about the fact that no Quebec government whatsoever, whether federalist or sovereignist, has agreed to sign the Canadian Constitution in the past 15 years?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the House of Commons has taken steps concerning this matter. We held a vote in this House in which we voted for distinct society.

We passed legislation making it clear that there will be no constitutional change without Quebec's consent. We have made considerable progress in such areas as mining, forestry, tourism, spending powers and social housing. It would appear that we are on the verge of signing an agreement on manpower, an issue that has been around for a very long time. As we have said here in the House of Commons, changing the Constitution requires the consent of the Government of Quebec.

If the hon. member wishes to have constitutional changes, let him tell his head office to vote in favour of distinct society and of a veto for Quebec.

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, like the official opposition, the Government of Quebec does not consider that Quebec is a distinct society. We consider it to be a distinct nation.

Some hon. members: Hear, hear.

Mr. Loubier: A people.

Mr. Duceppe: The Minister of Immigration ought to realize that, if she sat in the National Assembly, perhaps that is because there is something called the Quebec nation. Otherwise we would have called it the ''Societal Assembly''.

While the President of Treasury Board states that everything is settled, his colleague in Intergovernmental Affairs admits that nothing has been done by the Liberals on the constitutional issue, and that he accepts Canada as it is. He therefore admits that the promises made at Verdun have been trampled into the ground, that they were nothing but smoke and mirrors.

• (1420)

I ask the Prime Minister how he can reconcile these two statements. Has everything been done, or nothing?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in October 1995 at Verdun, the Liberal Party and I made a promise, saying that we had been in favour of the distinct society in the past, and still are in the present, and we came to this House in December 1995 to vote in favour of distinct society, which the Bloc Quebecois voted against.

We said at Verdun that we were in favour of giving Quebec and the other regions of Canada a veto. A bill was passed by the House of Commons, as well as by the Senate, but the Bloc Quebecois voted against a veto for Quebec.

What happened, each time we tried to take to meet Quebec's traditional demands? We got blocked by the Bloc.

Mr. Gilles Duceppe (Leader of the Opposition, BQ): Mr. Speaker, if we blocked them, it was because this government, and this Prime Minister in particular, has always had a block where Quebec is concerned.

Some hon. members: Hear, hear.

Mr. Duceppe: Mr. Speaker, we are not the only ones saying this; the federalists in the Quebec National Assembly are not in agreement with the Canadian government either.

Yesterday, we saw this Prime Minister shaking hands with Guy Bertrand; a few months ago, it was Howard Galganov. We also

remember the accolade to Clyde Wells after the failure of the Meech Lake accord.

Every time anyone takes a stand against Quebec or the National Assembly, the Prime Minister allies with him.

By denying the importance of the constitutional question, is the Prime Minister not in the process of admitting that he has nothing to offer Quebecers, whether they be sovereignists or federalists?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have a great deal to offer to Quebecers. What we have to offer is the best country in the world: Canada.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, my question is directed to the Prime Minister.

Former Prime Minister Brian Mulroney said yesterday that Canada would never have been able to patriate the Constitution without Ontario's agreement. This patriation, as we know, was carried out despite the opposition of all political parties in Quebec. And the 15th anniversary of this event next Thursday will be a dark day for Quebec.

Will the Prime Minister agree that, in the end, there is no difference between Pierre Elliott Trudeau himself and the Minister of Intergovernmental Affairs? That the Liberal Party has not altered its position on this issue one iota in 15 years?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I am very surprised to hear that the official opposition would have liked us to remain a legal colony of Great Britain. We patriated the Canadian Constitution and, in so doing, gave all Canadians a Charter of Rights and Freedoms, and we included as part of the Constitution that Canada had two official languages, French and English.

But the people who live in the past would like us to remain forever a colony of Great Britain.

Mrs. Pierrette Venne (Saint-Hubert, BQ): Mr. Speaker, for the Prime Minister, it was the 1982 Constitution that was the future. We can see that.

Does the Prime Minister realize that there is a consensus in the rest of Canada regarding Quebec's status within Confederation, that Quebec was put in its place in 1982, and that there is no question of this changing?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in the House of Commons we voted in favour of distinct society. We gave a veto to all regions, including Quebec. We sorted out the problems of duplication with respect to the environment. We resolved the problems that existed concerning forestry, tourism, mining and social housing. One would have to be blind not to see the progress we have made.

• (1425)

[*English*]

TAXATION

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, April is tax month and Canadians are getting a first hand look at what three and a half years of Liberal government have done to their pay cheques.

Since the Liberals came to power in 1993, the average Canadian family has suffered a pay cut of $3,000, thanks to the government's high tax policies. We are getting letters from seniors on fixed incomes who are having to pay taxes for the first time in five years.

How can the government claim that it has not raised taxes when older Canadians on fixed incomes are having to cut a cheque to the tax man for the first time in years?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, every time the Reform Party stands up and cites numbers, what it has to do, unfortunately for it, is to go back to the Tory regime. In order to compensate for the good numbers that the government has brought in, it has to bring in the bad numbers that the Tories had. It will not work.

We are responsible for that which happened since we took office in 1993. Since that time, disposable income and family incomes have stabilized. For the three years prior to our taking office they had worsened. We have stabilized them. Virtually every economist in the country now projects that those numbers are going to get better.

It is particularly ironic that the hon. member stands up and talks about seniors pensions, given the fact that her party in their original budget recommended that seniors pensions be cut, that they have fought protecting of the Canada pension plan, that they have fought every measure this government has brought in to take care of our senior citizens. The Canadian people are entitled to a little consistency.

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, the Reform Party has said and always says that the Canadian pension plan as it is now is a farce. There is going to be nothing there for young people when they get to be seniors.

The one pension plan that we did want to cut was the MP pension, yet the people across the way would have no part of that.

High taxes mean high unemployment. The government is collecting more in taxes than any other government in the history of the country and it has the worst string of jobless numbers since the great depression. That is no coincidence and it is certainly nothing to brag about.

If the Liberals were serious about dealing with the 1.4 million Canadians unemployed they would be offering Canadians a balanced budget soon and tax relief through smaller government.

Since the Prime Minister has made it clear that he has absolutely no intention of giving Canadians tax relief, just where in the world are these real jobs going to come from?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member must understand that when she stands up and cites numbers in her preamble, she must be prepared to defend them.

She talked about what the government has done in pensions. Let me quote: ''In the Reform Party's taxpayers budget it is projected that spending on seniors' benefits in 1997-1998 would be $17 billion''. They have come in at $22.3 billion. The Reform Party has recommended a $5 billion cut in seniors old age pensions.

Second, the hon. member has complained about the 9.9 per cent premium that has been arrived at by the federal government and the provinces, provinces representing every region of the country. The hon. member's numbers come out, by almost anybody's calculation, at 13 per cent. If those are not the right numbers, would she stand in the House now and tell us what her premiums will cost?

Miss Deborah Grey (Beaver River, Ref.): Mr. Speaker, the number in the taxpayers' budget that the finance minister refers to were 1994 numbers and a lot of projections have changed since then.

The Prime Minister's idea of job creation is building canoe museums, hotels and now armouries in his riding. That might improve the Prime Minister's chance of re-election but it is not going to give real sustainable jobs to Canadians across the country.

● (1430)

Mr. Speaker, 1.4 million people are unemployed, two to three million people are underemployed, 800,000 people are moonlighting to try to make ends meet and one in four Canadians are worried about losing their jobs.

Members can cackle and crow all they like across the aisle, but that is such a poor record that the government ought to be ashamed of it. What it is trying to do is run away from that record in the next election.

Instead of doling out patronage appointments and money in Shawinigan, why will the Prime Minister not just give all Canadians tax relief and help create some real jobs across the country?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I draw to the attention of the House that the hon. member was given an opportunity to say what her party's Canada pension plan premium or super RRSP premium would do. She did not take that opportunity. Do I now understand that she accepts the number that most economists have said? In fact, it is 13 per cent, 4 per cent higher than what we and the provincial governments have arrived at.

Let me go on. The hon. member wants to talk about tax cuts. She says that her party will bring in tax cuts. Let us take a look at the tax cuts that she would bring in.

The Reform Party will bring in, for a single parent with two children earning $30,000 a tax cut of $175 per year. If people want to know where their constituency lies, under the same program, under the same budget, a one-earner couple earning $250,000 with two children will get a tax cut of $6,700. That is what they are trying to protect.

* * *

[*Translation*]

KREVER INQUIRY

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, my question is directed to the Minister of Health.

We just heard that the Minister of Health will not extend the mandate of the Krever inquiry, contrary to a request by the Chief Justice of the Supreme Court.

How does the minister explain his decision to ignore the request made by Chief Justice Lamer?

[*English*]

Hon. David Dingwall (Minister of Health, Lib.): Mr. Speaker, the preamble of the hon. member's question is completely and unequivocally false.

[*Translation*]

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, I would like to hear from the minister whether they will really extend the mandate of the Krever inquiry, as requested by Chief Justice Lamer.

[*English*]

Hon. David Dingwall (Minister of Health, Lib.): Mr. Speaker, the hon. member has quite incorrectly interpreted the comments of the Chief Justice of the Supreme Court of Canada. The Chief Justice of the Supreme Court of Canada made a comment and an observation in terms of providing sufficient time for Justice Krever to make his report.

It has been the position of the government, it has been the position of ministers of health across the country, that we would wait to hear the full report of Justice Krever before making final recommendations as they relate to a national blood authority.

I have asked through the appropriate channels, through PCO, that we go to Justice Krever to try to get an interim report with regard to the issues of governance of the blood system.

Justice Krever did that with regard to an interim report for the safety of the blood system. I asked Justice Krever, on behalf of Canadians, on behalf of consumers, on behalf of health ministers, that we have that kind of information in order that we may take the appropriate action on behalf of all Canadians.

* * *

TAXATION

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, this government has a spending problem. The Liberals spend millions on their buddies for patronage, MP junkets, gold plated MP pensions and even caviar receptions in the case of the heritage minister.

Meanwhile, I just had a letter from a 74-year-old senior. She writes that for the first time she has to pay $1,100 in her year end income tax bill when her gross income was under $18,000. This is robbery of seniors and the poor.

Can the government explain why this senior is having her pocket picked to fuel the wasteful habits of the heritage minister and her big spending colleagues?

The Speaker: My colleagues, words like robbery and have their pockets picked are a little strong. I would ask hon. members to be very judicious in their choice of words.

• (1435)

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, yesterday the hon. member made certain claims about what he alleged to be a very exclusive reception.

The reason I answered about the reception in the House is because the reception I attended was the same kind of reception that we have held for Olympic athletes ever since we have been a country and entered the Olympics.

I have here a partial list of the over 600 Canadian athletes and their families who attended. From the province of New Brunswick selected by the provincial government, Lynsey Bartlett; from the province of Alberta, from Blairmore, Gail Bigcharles. We had 14-year-old wheelchair basketball athletes. We also had a team from the city of Montreal. They are so committed to the Olympic process that to celebrate the 20th anniversary of the Montreal Olympics they cycled from Montreal to Atlanta. Yes, they too were invited to this very exclusive reception.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, what we are concerned about is careers, not caviar. We are concerned about jobs.

The government's spending problem has led to enormous tax rates that are killing jobs and destroying hope for unemployed young people. I have three children, all of them university trained. All of them had to leave the country because of the government's record.

Why is the government through its destructive tax policies giving our young people the choice between no hope for a job or reaching for their passports? Is that the Liberal solution for job unemployment for the young?

Hon. Sheila Copps (Deputy Prime Minister and Minister of Canadian Heritage, Lib.): Mr. Speaker, in the course of the show of appreciation by the country for our Olympic and Paralympic athletes we have had three receptions: one for the Olympic and Paralympic athletes here on the Hill, another one in Atlanta, and there is going to be a third reception next week to honour the athletes from the Special Olympics.

I was thrilled that at the last event held on the floor of the House of Commons, all members from all sides of the House were thrilled to participate with Olympians. I happen to have a picture of the hon. member for Esquimalt—Juan de Fuca who was very happy not only to go to the reception but to have his picture taken with the athletes.

I would say to members of the Reform Party that please, you can't have it both ways.

Some hon. members: Oh, oh.

The Speaker: I would caution all hon. members about using props. We would not want question period to become a show and tell.

* * *

[*Translation*]

HUMAN RIGHTS

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, my question is directed to the Minister of Foreign Affairs.

Last Friday, the Minister of Foreign Affairs said, in response to a question from the deputy leader of the official opposition, that he was misinformed and that the government intended to co-sponsor the Danish resolution on human rights in China.

• (1440)

What explanation does the minister have for his about face yesterday, when he announced the government's refusal to co-sponsor the Danish resolution at the UN human rights commission?

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the decision we announced yesterday is part of an assessment we made. It was a tough judgment to make but it really came down to what we thought would be the most effective way of trying to broaden and pursue an agenda of human rights.

We held discussions with Chinese authorities, enabling us to develop a new set of initiatives. We felt that because the resolution

of Geneva had already been substantially weakened by the withdrawal of support by a number of countries, the most effective way that we could advance the cause of human rights in China was to pursue this new agenda.

I would be very glad to brief the hon. member on the kind of measure because I am sure the hon. premier of Quebec when he goes to China would like to support us in that initiative.

[*Translation*]

Mrs. Maud Debien (Laval East, BQ): Mr. Speaker, this is a sad day indeed. The government has just abdicated its responsibility and betrayed the Pearson legacy which made human rights a priority at one of the world's most important political forums on human rights.

Would the minister agree that his government should be ashamed of letting China pressure and blackmail us into let money prevail over human rights?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, the reverse is true. The history of Canada's legacy in this respect has been to pursue the most effective ways to develop respect for human rights throughout the world.

In this case, we have developed a program of initiatives to promote rights in China, to guarantee the development of the civilian society and to engage the Chinese in a unique multilateral dialogue on human rights.

I believe that in the circumstances, this will offer the most effective opportunities for developing a reaction. If there is no favourable reaction in the next few years, we will re-examine Canada's position and support the resolution in Geneva.

* * *

[*English*]

JUSTICE

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, I have watched the justice minister in effect deny Canadians a national victims bill of rights. I have watched the justice minister refuse to amend his conditional sentencing law that allows rapists to serve no time in jail. I have watched the justice minister use a letter solicited by him from a victims group to convince us that his position is a good thing for Canadians. Last week he categorically denied that he or his office solicited that letter.

Is the justice minister prepared to apologize to Canadians for disregarding the needs of victims in using them in a letter solicited by his office?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, what a sorry spectacle it is, a party without ideas, a party without policies, a party with nothing to offer, driven in desperation to now a daily ritual of exploiting the pain of others in an effort to hang on to its few remaining points in the polls. It is a sad spectacle. It is difficult to watch and abide. It is hard to listen to.

I offer the same answer as I have offered on days in the past. The hon. member knows nothing of what he speaks. He asked for a victims bill of rights without knowing that most of the provinces have already taken steps to do exactly what he is asking for.

That party has been driven to a point where it is now exploiting crime to protect its impossible position.

• (1445)

Mr. Randy White (Fraser Valley West, Ref.): Mr. Speaker, this is really a disgusting spectacle from the justice minister. The justice minister is really the managing partner in the worst law firm in this country. That is what he is.

I think he should check with Derek Kent of his office. He should check how he wrongfully solicits victims. If he has no idea what is going on in his own office, is it any wonder why he is out of touch with this country, out of touch with victims?

Can the minister check with his office to determine if the bureaucrats will allow him to amend conditional sentencing to exclude violent offenders?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member is not only feeling desperation but by now he must be feeling acute embarrassment. Here he has paraded himself on the national stage day after day, pretending to be the champion of victims, attacking this government for having done nothing, and yet to his acute embarrassment he must confront the letter from CAVEAT, a national organization of victims, signed by the president, Priscilla de Villiers.

This is important. The hon. member may wish to listen: ''Three years ago CAVEAT presented a petition to Allan Rock on behalf of 2.5 million Canadians. It called for far reaching measures to improve public safety and the treatment of victims. Since then significant steps have been taken to address some of these concerns. Although much still needs to be done, this government has shown a willingness to listen and to act''.

That is the truth.

* * *

[*Translation*]

HELMS-BURTON LAW

Mr. Benoît Sauvageau (Terrebonne, BQ): Mr. Speaker, last week the United States and the European Union concluded an agreement on their dispute over the Helms-Burton law.

This agreement provides for a relaxed application of this law in exchange for the suspension of the proceedings instituted by the European Union with the World Trade Organization and the establishment of global rules preventing investment by companies in properties expropriated by other governments.

My question is for the Minister of International Trade. As the Liberals' record says that Canada was the force behind international opposition to the Helms-Burton law, could the minister explain how it is that Canada is not a signatory to the agreement reached last week by the European Union and the United States?

[*English*]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, we have been in ongoing consultations with the United States on this issue. The Americans know of our strong opposition to it and we will continue to have those consultations.

The idea with the European Union was to get it into a new forum, away from the World Trade Organization, in which the U.S. said it would not participate, to the OECD where it will participate. I think that is a useful move because Canada has hit the table in those discussions on the multilateral agreement on investment. In fact, Canada first raised the issue with respect to extraterritoriality and the Helms-Burton law. We will continue to pursue it.

In terms of the other measures with respect to Helms-Burton, nothing was really gained. The president had already indicated that he was deferring for six months at a time the title III provisions on lawsuits. On title IV we have been told that they are not looking at any other Canadians and that they would not make it retroactive with respect to those already on the list.

Canada continues to present its case and will continue in consultations. I am delighted to know we will have an opportunity to bring the United States to the table so we can talk about our grievances about Helms-Burton and the whole broader concept of extraterritoriality.

• (1450)

[*Translation*]

Mr. Benoît Sauvageau (Terrebonne, BQ): Mr. Speaker, for a year now, the minister has been waffling and for a year he has followed in the wake of the European countries.

Given that the minister is still refusing to fight the Helms-Burton law under NAFTA and given that there is no guarantee the OECD negotiations will lead to an agreement, could the minister tell us what is preventing him from filing a complaint under NAFTA?

[*English*]

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, I expect the OECD will reach an agreement. I do not think it is going to come in the short run. It will be sometime in 1998, but it is a matter that will get full discussion at that level.

In terms of the NAFTA, we have the possibility of doing that. If the talks stall, if the U.S. refuses to talk about Helms-Burton and these kinds of unilateral measures, then we will use it.

I am happy that we are making some progress in terms of these discussions. I think international multilateral forums are the best place for it.

* * *

GREAT LAKES

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Mr. Speaker, in Windsor and Essex County, the home of the International Joint Commission, the Great Lakes Institute and the Essex Region Conservation Authority, we really care about the quality of Great Lakes water. Can the Minister of the Environment tell us whether the quality of the lakes is improving and whether we can count on this great legacy of fresh water for our children and grandchildren?

Hon. Sergio Marchi (Minister of the Environment, Lib.): Mr. Speaker, let me thank the hon. member not so much for her question but for her interest in terms of the quality and condition of the Great Lakes.

Today marks the 25th anniversary of former Prime Minister Trudeau's signing with the United States a Great Lakes quality agreement. Not only has the agreement worked well, it has been held up as a model on how to manage not only shared waters between two countries but waters which represent one-fifth of the world's fresh water supply.

Last week when the Prime Minister visited Washington the two governments signed a new agreement to extend that success story to those toxins which are the most threatening and the most dangerous and to ensure that we have another success story for the next 25 years.

* * *

WAR CRIMINALS

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, two months ago when I asked a question about modern war criminals in Canada the parliamentary secretary to the minister of immigration stated: ''Action is being taken. These people will be removed. They will not be allowed to stay in this country''. We now learn that when Canada generously opened its doors to genuine refugees from the war in Bosnia a number of suspected war criminals were accepted as refugees.

Can the minister inform the House what action is being taken against those suspected war criminals and when they will be removed from Canada?

[*Translation*]

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, it should be made very clear that Canada did play a role in resettling refugees from the former Yugoslavia and that, true to Canada's tradition of generosity, we have indeed welcomed refugees who were being persecuted or living in difficult conditions due to conflicts in their country of origin.

Every one of these refugees we have welcomed has been accepted in a spirit of openness. To date, there has been no indication of what the hon. member from the Reform Party raised just today involving any of the more than 19,000 refugees we have welcomed in our country since 1993.

[*English*]

Ms. Val Meredith (Surrey—White Rock—South Langley, Ref.): Mr. Speaker, that is very interesting because her department came up with 250 suspected modern day war criminals, and representatives of the Bosnian government have stated that Canadian officials did not consult their list of suspected war criminals before accepting refugee claimants from Bosnia.

Now that some of these individuals have been identified as being in Canada, it does not appear that they will be brought to justice soon because of the lack of an extradition treaty with Bosnia.

Will the minister assure the House that action will be taken immediately by the government, or is the government prepared to repeat the five decades of embarrassment Canada experienced with the handling of Nazi war criminals?

• (1455)

[*Translation*]

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, the hon. member from the Reform Party should at least have the honesty to say that the prime—

Some hon. members: Oh, oh.

The Speaker: My colleagues, I would ask the hon. minister to please withdraw the word ''honesty'' from her answer.

Mrs. Robillard: Mr. Speaker, I wish the hon. member from the Reform Party would have the courage to say—

Some hon. members: Oh, oh.

The Speaker: My colleagues, honesty or courage cannot be called into question. You can answer, but please choose your words carefully.

Mrs. Robillard: Mr. Speaker, we hope the members of this Parliament will recognize the actions taken by this government.

This country is a world leader in the fight against modern day war criminals. In many respects, even our court decisions set a precedent worldwide.

It is very clear that we have a plan of action—

An hon. member: Oh, really?

Mrs. Robillard: We do, and it is to take action against those individuals who may be living in Canada.

Regarding the former Yugoslavia, Canada even helps international courts prosecute anyone who may have committed crimes against humanity.

How can the hon. member from the Reform Party stand in this House and say otherwise?

* * *

TARIFFS ON AGRICULTURAL PRODUCTS

Mr. Jean-Guy Chrétien (Frontenac, BQ): Mr. Speaker, my question is for the Minister of Agriculture.

In spite of a NAFTA ruling supporting Canada's position regarding the tariffs on our eggs, dairy and poultry products, the U.S. trade representative, Charlene Barsketsky, indicated a few weeks ago that this issue was a priority for her country and that she would fight to the end to eliminate these tariffs.

Can the minister assure us that he will be firm and will not start negotiating with his American counterpart to eliminate our tariffs, contrary to what has already been done by the Liberal government in the case of wheat and softwood lumber? The Bloc Quebecois would never accept such a move.

[*English*]

Hon. Ralph E. Goodale (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, we said in 1993 that we would fight very hard to defend the interests of Canadian farmers in the final round of the GATT negotiations, and we did that.

We said following 1993 that if the United States should challenge us under the NAFTA we would defend our supply management system, and we did that.

Farmers in Canada may rest assured that this government stands firmly behind them in every set of trade negotiations.

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KREVER INQUIRY

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, the Krever commission on tainted blood is supposed to be about health but it is tied up again by lawyers.

We want to find out who is in charge on this issue. Is it the Red Cross lawyers, is it the supreme court lawyers or is it our weak health minister lawyer?

Hon. David Dingwall (Minister of Health, Lib.): Mr. Speaker, it is the supreme court.

Points of Order

ORGANIZATION FOR ECONOMIC DEVELOPMENT AND CO-OPERATION

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, my question is for the Minister for International Trade.

Apparently the Organization for Economic Development and Co-operation is proposing a multilateral investment agreement which, if signed, would not allow Canada to set job creation targets or set conditions on future foreign investments.

Can the minister confirm that Canada will not sign the proposed agreement unless such restrictions are removed?

● (1500)

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, negotiations on the multilateral agreement on investment at the OECD are at a very early stage. As I indicated in answer to a previous question, they are not likely to be concluded this year but probably next year.

There is no agreement. Proposals are on the table but no agreement has been reached on the issue. Canada's sovereignty will not be undermined. As in the case of NAFTA, we will look for exemptions for our cultural industries and the right to review sensitive foreign investments.

Furthermore, Canada will not sign an agreement that inhibits its ability to link the granting of investment incentives to job creation. What we do see though as an advantage when eventually we do find the right terms is the greater access of investment for Canadians in foreign markets and a more appealing access into our market for foreign firms.

Mr. Nelson Riis (Kamloops, NDP): Mr. Speaker, my question is a supplementary to that issue. When the minister says that Canada's sovereignty will not be undermined that is exactly what the proponents of NAFTA told Canadians.

Considering the implications of this proposal that are now being carried on in high level secret negotiations, is it not time that Canadians know what is being negotiated? Should they not know what some of the issues are before the election or at least promise to raise it during the election so Canadians can evaluate this and make a judgment call themselves?

Hon. Arthur C. Eggleton (Minister for International Trade, Lib.): Mr. Speaker, what is on the table in the MAI is substantially what is already in the NAFTA agreement and that is very public information.

It is at a very early stage in the discussions. Canada has not agreed to anything and Canada will not agree to anything that is not in its interest. If we can get further access to markets, fine. However, we want to make sure that we can continue to create jobs in this country. That is what Canadians want and we are not going to give that away.

* * *

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of Mr. Donald David Gay, MLA, my brother Speaker of the Legislative Assembly of New Brunswick.

Some hon. members: Hear, hear.

The Speaker: I have two points of order which I will entertain.

* * *

POINTS OF ORDER

LETTER FROM CAVEAT

Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, my point of order arises from a response I gave yesterday in question period.

I was asked by the hon. member for Fraser Valley West whether I had solicited a letter from CAVEAT that has been referred to in the record. I said I had not, nor had I instructed anybody to do so on my behalf.

I did undertake to check the facts. The hon. member or other members might have concluded from my response that the letter had not been solicited. Last night in discussion with my staff I learned that a member of my staff, in speaking with the president of CAVEAT last Thursday, had asked that the thoughts she had expressed be put in writing and that she communicate by letter. That was done. That is the letter that I read from, freely sent by CAVEAT.

I answered yesterday to the best of my ability and I put on the record today the facts I have discovered in the interim.

COMMENTS DURING QUESTION PERIOD

Mr. John Williams (St. Albert, Ref.): I rise on a point of order.

Mr. Speaker, as you will recall, during question period you asked the minister of immigration to withdraw certain words. I would like to draw the Speaker's attention to the point that these words were withdrawn conditionally.

As you know, Mr. Speaker, Beauchesne requires that anyone who is asked to withdraw unparliamentary language do so without any conditions whatsoever. I would like to draw to your attention that the minister did attach conditions. I ask that the record be corrected by requesting her to make an unconditional withdrawal now since she is still in the Chamber.

The Speaker: I will undertake to review the blues and *Hansard* but my recollection is that there was a straight withdrawal with no conditions attached. Should that not be the case I will return to the House if it is necessary.

GOVERNMENT ORDERS

● (1505)

[*English*]

AN ACT TO AMEND CERTAIN LAWS RELATING TO FINANCIAL INSTITUTIONS

The House resumed consideration of the motion that Bill C-82, an act to amend certain laws relating to financial institutions, be read the third time and passed.

Mr. Werner Schmidt (Okanagan Centre, Ref.): Mr. Speaker, it is with pleasure that I continue the debate on Bill C-82, an act to review the legislation regarding certain financial institutions.

Before I get into the other part of my remarks, I wish to reply to certain statements that were made by the Parliamentary Secretary to the Minister of Finance. In particular, he said that the clauses dealing with tied selling would not be proclaimed until September 1998. It was almost a sanctimonious kind of concession that suggested that this is such an important issue that it will be put into the legislation but the government will not proclaim it until September 1998.

This was put under the rubric or in the context of saying that it is in the interests of the consumer and that the government is looking after the interests of the consumer.

I wish to point out as I go through the various remarks that the very amendments dealing with tied selling in the proposed Bill C-82 are not in the interests of the consumer. I will move into that with some dispatch at this point.

First of all, may I draw members attention to it not being in the interests of all categories of consumers. That is the individual consumer, that is the large business corporation, the small business corporation, the partnership, the medium sized corporation. All these people use in various shapes and forms and at various times, in larger or smaller amounts, with different degrees and conditions of repayment and rates of interest the function of the bank as it lends money to these various ventures.

Every Canadian who borrows money is affected by the provisions in proposed Bill C-82. These are loans that can be of short term, of longer term, of flexible interest rates or of fixed interest rates. It has to deal with bridge financing, if that is the instance, or it may deal with lines of credit. It deals with first mortgages and second mortgages, whatever the case might be.

What is the issue in this matter? The issue is that it will give to the banks increased power to do things that otherwise are not available to other financial institutions. How do I come to this conclusion? It comes from the two subclauses that are presented in clause 55 of Bill C-82. They refer to section 459.1 of the Bank Act.

How does this affect the consumer? I wish to read the sections of the bill so that we are each clear on what exactly it is that we are talking about. I want to go on record with this because the day will come, I am convinced, when a lot of Canadians will ask themselves why the government passed this legislation.

In order to put this into the appropriate context, we need to recognize that section 459.1 reads as follows:

> 459.1 (1) a bank shall not impose undue pressure on, or coerce, a person to obtain a product or service from a particular person, including the bank and any of its affiliates, as a condition for obtaining a loan from the bank.

● (1510)

Every consumer listening to this would say that is good and I agree. However, the bill does not stop there. It goes on to subclause (2) and (3). It is in subclause (2) that we need to read as follows:

> For greater certainty, a bank may offer to make a loan to a person on more favourable terms or conditions than the bank would otherwise offer to a borrower, where the more favourable terms and conditions are offered on the condition that the person obtain another product or service from any particular person.

It is very clear that a preferred rate may be given on the condition that the borrower obtain insurance from a particular person, which could be a subsidiary of the bank or any institution with which the bank has an agreement.

Let us read subclause (3). It is in effect the mirror image of subclause (2) but written in a different way. It begins with the same words:

> For greater certainty, a bank or one of its affiliates may offer a product or service to a person on more favourable terms or conditions than the bank or affiliate would otherwise offer, where the more favourable terms and conditions are offered on the condition that the person obtain a loan from the bank.

According to the amendments to Bill C-82, those two clauses are being used to replace the existing section 416 of the Bank Act. Section 416 reads as follows:

> (1) A bank shall not undertake the business of insurance except to the extent permitted by this act or the regulations.
>
> (2) A bank shall not act in Canada as agent for any person in the placing of insurance and shall not lease or provide space at any branch in Canada of the bank to any person engaged in the placing of insurance—
>
> (4) Nothing in this section precludes the bank from
>
> (a)requiring insurance to be placed by a borrower for the security of the bank; or

(b) obtaining group insurance for its employees or the employees of any bodies corporate in which it has a substantial investment pursuant to section 468.

(5) No bank shall exercise pressure on a borrower to place insurance for the security of the bank with any particular insurance company, but a bank may require that an insurance company chosen by a borrower meet with its approval, which shall not be unreasonably withheld.

That is the part that works today and that is what Bill C-82 states shall not longer be the case.

I submit that is operating not in the interest of the consumer but in the direct beneficiary interest of the bank itself.

Having set the context, we need to ask ourselves how this can affect the consumer. First, we need to recognize that in 1992 the four pillars of the financial institutions were collapsed. They do not exist any more. Those four pillars constituted insurance companies, investment dealers, trust companies and banks. They are no longer in existence.

With the destruction or the elimination of the barriers between these four pillars of finance went competition and came the exchange of information between these various aspects. What does this mean in practical terms? It means, and has in practice turned out that way, that banks today may own insurance companies. There is a whole variety of different kinds of insurance companies. They may own life insurance companies. They may own health insurance companies. They may own property and casualty insurance companies, automobile insurance companies or trust companies. The experience now is that 80 per cent of the investment dealer business is done by the banks through its subsidiaries.

Under the umbrella of a single board are contained all four of these that were before distinct and separate financial functions.

● (1515)

Let us take a look at a couple of scenarios on how this would work in the individual case, how it can work and how it has worked. There has been the greater consolidation of information under one umbrella. There are instances where a bank can own a life insurance or a health insurance company. When a life insurance policy or a health policy is issued a lot of very personal information is collected.

Let us take a person who owes $100,000 to the bank. The loan is there. Lo and behold the bank recognizes that a set of claims has been issued against its insurance company by the individual with the loan. The bank may now very easily project forward and ask under what conditions or how favourable is the repayment possibility of the loan.

I presented this example to the finance committee when the bill was up for discussion. The president of the Canadian Bankers Association appeared before the committee. This is not a recollection from my memory but an exact quotation of what Mr. Protti said:

First, our privacy codes do not permit the sharing of information on health issues across subsidiaries. It doesn't happen.

That is very interesting. One bank, a member of the Canadian Bankers Association, sent a policy statement sent to clients of a subsidiary of the bank, an investment dealer subsidiary, which stated:

Its officers and employees must scrupulously observe in letter and spirit all laws governing business and securities activities. Its officers and employees must deal fairly, honestly and in good faith with clients—The confidentiality of client information is a fundamental principle of our firm. No employee may release confidential client information unless required by law or with the client's consent.

I will refer to this point later when we go through the policy statement. It further stated:

The misuse of confidential information or misuse of any inside information not generally disclosed for personal gain or for the benefit of anyone else is prohibited and grounds for immediate dismissal of an employee.

What is the nature of the bank and its relationship with a subsidiary? The subsidiary is a wholly owned subsidiary of the bank and the bank guarantees all the liabilities of the subsidiary.

What about the sharing of private information? The subsidiary may give confidential client information to the bank. This type of information includes a client's name, address, phone number, income, assets, debts, investment objectives and financial plans.

The bank may use this information for the following purposes: to sell its services to the client; and to survey the relationship between its subsidiaries and their clients. It is the beginning of a sharing of information among subsidiaries. It may use it to determine the amount of debt one has outstanding to the subsidiary and to the bank. The comes the catch all phrase. It says:

This information may be used for any other purpose about which the subsidiary will inform you, the client, in writing.

Earlier it stated that the bank would not disclose the information unless it was required to be shared by law or without the consent of the client. Before an account is opened with the subsidiary there is a client consent statement which reads:

By opening an account with this subsidiary you are consenting to the bank's use of this information.

It does not say how. There are no conditions placed on it. It is simply an agreement that the bank may use the information. If a client wants to end the consent written notice must be given to the subsidiary and addressed and delivered to the subsidiary's branch. Notice would be in effect when a written acknowledgement from the subsidiary is received. Should a client wish to close an account,

the subsidiary would give at least 30 days written notice before doing so.

● (1520)

Who is closing the account? The client chooses to close the account. If the client does so or if the client will not give permission to send the information, the subsidiary may close the account without any further consultation with the client. The bank is virtually guaranteeing the information will be made available to other of its subsidiaries and that the client, in order to keep the account, must give consent to the sharing of that information with the various subsidiaries. It is not far fetched that the information could be used by the bank in its decision making process.

Scenario No. 1 depicts a situation where a particular piece of personal information may be used to make a decision against clients or change their financial status.

Let me move on to another scenario. This time it is implicit rather than explicit. We will consider the following. A business has a loan. The bank advises that it is a big loan and asks about it being paid back by the business going public.

We all know what going public means. It means issuing shares which allows the public to buy parts of the business through the purchase of shares. Lo and behold the bank also has a subsidiary which deals in securities. One of the functions of a securities dealer is to underwrite new stock issues, which would be the case in this scenario.

First we had a private company that went to the bank and, in order to pay its loan, went to the public market to sell equity shares. Now the bank suggests to the individual to keep a bit of the loan on which it will give a preferred rate on the condition, according to subsection (2), the underwriting service of its subsidiary is used. On the other hand it says the company can go all the way with the underwriting and will be given a preferred rate but the underwriting has to be done through our subsidiary. The rate will only be given on the condition that if in the future the company needs to borrow money it will borrow it from the bank in question.

One could argue that is good business. However, when a person is in trouble it is tantamount to coercion. It is certainly tantamount to undue pressure. It is not good business. That scenario is not far fetched. It is a very real possibility.

I will outline a third scenario. This one concerns a business which at this point in time is in serious trouble. Under the umbrella provision it has given the bank all its business. The company pension plan, mortgage, personal RRSPs and home mortgage are all with the bank, in one place. The bank has knowledge of the affairs of the business, its proprietor, its family and its members. It knows the business is in trouble and that even if the company pension, the group RRSPs, the individual RRSPs, the house and the other mortgages were liquidated, there would not be enough money to cover the debt.

● (1525)

By consolidating everything under one roof the bank has an unusual power and a coercion possibility that otherwise would not exist. That is dangerous and imprudent. It should not be considered prudent management of financial affairs if all products or services are subsumed under one bank or one financial institution.

Who benefits from all this? It is the bank that benefits. If we take the first scenario, the information is given by the client to the bank and shared with the subsidiary to the advantage of the bank and not of the client.

In the second case the banks underwrite through its subsidiary the share issue. The subsidiary gets the underwriting fees for writing the share issue. Its brokers collect the fees from the distribution of the shares to the general public. It also gets an overriding commission. Then there is the continued trading of that set of securities. The company, which was previously private, now has the additional difficulty of having to meet all obligations a public company has to meet. These are substantial. In all three instances the bank is favoured rather than to the individual.

I will review exactly what we have done so far. Bundling it all together, as the hon. parliamentary secretary said, will somehow be to the benefit of the consumer. By bundling all these products and services we can offer either a preferred rate on the loan or a preferred rate on services or products being purchased.

What is not in the act is important. The act does not require the bank to disclose the prices of these component parts or whether the specifications of the component parts would have been the same before they were bundled together.

There is no protection. It may not even be the same set of products the customer thought he was buying. Tied selling is a very dangerous.

What do other people have to say about this section of the act? Members have heard my interpretation. Let me read what Mr. Yakabuski, director of government relations of the Insurance Bureau of Canada, had to say in his brief to the committee:

> If there is an area where the committee may choose to make Bill C-82 an even better piece of legislation, it is with respect to the tied selling provisions proposed under section 459.1 of the Bank Act.
>
> Our view is that subsections 2 and 3 have been worded too broadly and may in fact permit the bundling of certain bank products and other financial services in a way which may not be beneficial to the consumer.

Mr. Yakabuski added to that section of his brief by saying:

> With respect to those proposed subsections it seems perfectly absurd to us that the government would decide to put into law definitions regarding some things that might be good for consumers and some things that might not be good for consumers when everyone knows that it is not an exhaustive list. That is precisely why you have proposed section 455.5, which we support, which gives the governor in council the ability to make regulations determining exactly what is and is not beneficial for consumers.
>
> We recognize that some bundling of products can be good for consumers, but why should you want to restrict the regulation making power now?

That is at the heart of the issue. That is what the insurance bureau had to say.

What did insurance brokers have to say? A letter to Mr. Frank Swedlove of the Insurance Brokers of Canada stated:

> We believe that there is a cause for concern regarding the proposed amendments to the Bank Act and in particular section 459.1. In our opinion subsections 2 and 3 may limit the regulation making power of the Bank Act. To remove this potential problem it may be preferable to delete subsections 2 and 3. This can be done, if you agree, during the parliamentary review of this legislation which is expected to resume as early as this week.

● (1530)

That did happen but the government chose not to agree with that. Mr. Speaker, I submit to you and to this House that the day will come when we will ask ourselves, and the government will ask itself, why we did not do that? If the people of Canada elect a Reform government then that will be looked after and consumer interests will be preferred. They will be balanced off against the powers of the banking and financial institutions. That is what we need to do.

This same Madam Brown who wrote the original letter that I just read also said this at the committee: ''There are other angles to tied selling that I think we overlooked. They are not just simple ones. We can tell you that favourable tied selling clauses that are in proposed subclauses 459.1(2) and (3) will be unenforceable''. What do you think of that, Mr. Speaker?

The supervision of these activities will be almost impossible because we go through this ourselves now in the business of tied selling. This is not some amateur making this observation. This is someone who is in the business of insurance brokering. This is someone who understands property and casualty insurance in great depth. She says that it will be unenforceable to do something like this.

Why then does the government insist that this legislation be passed? Last Thursday we presented amendments. This afternoon we voted on those amendments and the government voted them down. What did those amendments say? They said to keep what exists in legislation now and make tied selling illegal.

Why did the government not accept those amendments? Why did the government bring to this House legislation that it has stated will not be proclaimed until September 1998 until the committee has had a chance to study it?

Let the committee study it. Let the issue come forward strongly and clearly and then make the appropriate changes to the legislation as necessary, but do not anticipate what the committee might find, or pass legislation which will not be promulgated until some time in the future. It is absurd.

There is more. This point has to do with some very significant issues. So far we have seen that the proposed amendments invite imprudent consolidation of various aspects of a business. It makes possible the sharing of information that is personal and private. It does not deal with the conflicts of interest between a subsidiary and the lending institution, the bank. It is silent about complete disclosure on price and specifications of elements of products and services that may be bundled together.

I cannot help but read into the record a case where the individuals in question were a hardworking couple in Ottawa. Over many years of hard work and perseverance they took themselves from the proverbial rags to riches. They were diligent about keeping their financial records in order. Their relationship with their bank was top-notch. So sound was their financial record and their relationship with their bank that written in their files were the words ''no collateral required''. No collateral was required by the bank whenever the couple needed to get a loan.

In keeping with their practice of fiscal responsibility, the couple planned for their retirement by investing in gas and oil stocks, but somewhere along the way a substantial stock certificate went missing. This discovery was made just as the couple was getting ready to retire and turn their family business over to their son.

The wife worried for months over the missing stock certificate she had so carefully placed in her safety deposit box. It was gone. The bank took no responsibility for it and insisted that the couple must have misplaced it. Only because of the diligence of a loyal daughter, often in the face of great adversity which included veiled threats from the bank, did the story begin to come together.

● (1535)

The missing stock certificate was in the possession of the bank during the entire time. This stock certificate had been removed from the couple's safety deposit box without any authorization from the couple, an illegal manoeuvre by the bank.

Despite reporting this to the bank manager, the bank president, the inspector general of banks which today is the of the Office of

the Superintendent of Financial Institutions and the Minister of Finance at the time, nothing was done.

The bank refused to admit that it was at fault, claiming that the stocks had been taken as collateral for a $15,000 loan. These were customers where no collateral had been deemed necessary. They were stocks that the bank had no knowledge of unless it had illegally entered into the couple's safety deposit box.

The result took a grave toll. The father died before the matter was ever resolved. The mutual fund froze the couple's investment, meaning that the mother never saw a dime before she passed away. Because of the bank's refusal to own up to a mistake, this hard working, honest family suffered.

More important, the relationship between this family and the bank has been marred for good, which means that the relationship between the bank and all of us has suffered to some degree. The bank did not live up to its fiduciary responsibility.

Despite an investigation that ruled in favour of the family, the bank has not compensated the family for the value of the stocks, the loss of the retirement funds and the time in personal sacrifice it cost.

To this day, the bank in question refuses to accept full responsibility for its mistake. Small amounts of compensation have been offered which neither reflect the dollar value of the family's financial loss or the value or their personal loss. The amounts, in the form of cheques, are offered on the condition that the family speak not another word of the injustice levelled against them by the bank. Needless to say, the cheques have not been cashed because they refuse to allow themselves to be muzzled this way.

I have been asked to tell this story to warn Canadians that it is unwise to fully trust an institution with such power to always act in their best interest. It is a warning, too, that legislative powers do not necessarily protect the consumer.

In 1979, in 1980 and in 1982, this case was raised again and again in this House. Neither the then Minister of Finance nor the inspector general of banks, now the Superintendent of Financial Institutions, did anything to ensure that the bank took responsibility for its mistake.

Banks in this country are powerful, indeed, more powerful than our elected government. That is precisely the reason why we should not allow clause 55, section 459.1(2) and (3) to stand as is.

Can we be assured that the banks will not unduly pressure or coerce consumers? I submit no, we cannot. That is why we must be diligent in protecting the interests of the consumer and the small business person against the ultimate power exercised by financial institutions. We can never take for granted that the consumer will be protected or the small business person treated fairly. We have heard too many cases where it has not happened.

There is going to be, I am sure, some people saying: ''But Mr. Schmidt, that is one case''. Yes, that is one case but it is an example of many other cases.

Does this mean that banks deal this way with most customers? Of course not. That is not the point I am making. We ought not to create a situation where it is always a predetermined condition where the bank may do this kind of thing with impunity. That is the issue.

I remember one bank that is proud of itself. In fact, it had a national advertising campaign. One of the characteristics of that advertising campaign was that it said it had become the largest bank in Canada one customer at a time. It is one anecdote at a time that has brought this kind of thing to pass.

As legislators we need to have the interests of the consumer at heart first and foremost. We need stable and solid financial institutions. Our banks are second to none in the world but that does not mean that we have to keep expanding their power. That is the issue.

The point has come where we need to balance the power of all our financial institutions, not just banks. They are not the only institutions that do these kinds of things. There are other groups that do this. Credit unions do this kind of thing. Trust companies do this kind of thing. The insurance companies who are opposing this legislation do some of these kinds of things. The issue is one of fairness. The issue is one of adequacy. The issue is one of justice. That is what I am concerned about. That is what we should all be concerned about. It can be done.

• (1540)

I am sorry the amendments were not passed, but surely to goodness before this legislation is promulgated we will at that time come to a clear understanding that these kinds of provisions cannot be allowed to continue to stand in the Bank Act as it exists in our legislation today.

Mr. Chuck Strahl (Fraser Valley East, Ref.): Mr. Speaker, in your usual non-partisan manner you announced that very well. I always enjoy working with you in your new role. I am sorry to see you muzzled, of course, of your former ability to parry and thrust in the debate in the House. Still, you are doing a fine job there and we appreciate your work.

I want to talk for a few minutes today about the financial institutions act, in particular because it is one of the areas that the Reform Party says that the federal government needs to be

involved in very aggressively if Canada is to have that common economic union that will strengthen the nation.

We have suggested that in our vision of what Canada should look like. There are some areas from which the federal government should dissociate itself. For example, the federal government should not be involved in tourism. That should be a provincial jurisdiction. Manpower training should be a provincial jurisdiction and all provinces should have responsibility for that. Municipal affairs is something best left with the provinces and the municipalities. Things such as housing, language and culture should be left with the provinces. The provinces and the municipalities are much closer to the needs in their regions and they will do much better job of managing things than will the federal government.

In our fresh start document we detail the areas that we think should be handed off to lower levels of government. It goes so far as to say that municipalities should be officially recognized as the level of government closest to the people and they should be included in federal-provincial arrangements such as the infrastructure programs that are being announced here on the cusp of the election. Once again, it is the municipalities that are going to have to contribute a third of the money in these infrastructure plans and they getting in on the deal after it is completed.

I can say from the last infrastructure deal, where about 82 to 84 per cent of the money went to ridings controlled by provincial MLAs in the NDP government of British Columbia, there was a lot of dissatisfaction with the fact that municipalities are treated as the weak sisters, or the poor brothers or whatever they can be called, but they do not have the influence on policy that they should have.

All that said, one of the things that should not be weakened in the federal government is regulation of financial institutions. That forms one of the 10 main areas where the Government of Canada should concentrate its efforts.

I should read those areas into the record. They include defence, foreign affairs, monetary policy, regulating financial institutions, the Criminal Code, facilitating national standards, equalization, international trade, domestic trade and reform of national institutions such as Parliament. On the last point I know, Mr. Speaker, as the co-author of a report that talks about reforming the national institution of Parliament, even going so far as recommending that the position that you now have be given to one of the opposition parties, for example, you would be, as many others are as well, in favour of reforming national institutions here in Parliament.

The reason that these 10 areas need to be emphasized is because these are the 10 areas of commonality that I think all Canadians can agree to and that all provinces can agree to, that if we are going to have a nation we need to have these areas under the control of the federal government.

• (1545)

There is no use in the power to regulate domestic trade disputes being held within a province. Obviously one province could say it is looking after its best interests so it will not give in or allow another province to buy supplies or whatever it might be. This cannot be and should not be.

In recent times the Liberal government attempted to put together an internal trade agreement in Canada. Whole sections of the internal trade agreement were left blank, including the section on energy. It is a completely blank page because the provinces cannot agree among themselves.

The federal government needs to step in more aggressively and take control of the 10 areas that I mentioned. The federal government should not acquiesce to any one province. It should aggressively use its constitutional right to regulate financial institutions and internal trade disputes and force them to a conclusion. If one province does not want to sign on, it will have to be pushed a little. One thing that makes a country is a common economic market. By extension we also need a common monetary policy. That is one thing a Reform government would stress. We need the regulation of financial institutions. We also need control of the Criminal Code and issues like international and domestic trade.

It is important for people to realize that a decentralized government or a rebalancing of the powers of the federation does not mean the federal government will not have a lot to do. Our view of what will happen under a Reform Party government is that some $94 billion will be used on program spending. Those kinds of dollars in 10 areas will focus our energies, limit the influence of the federal government and allow it to have a substantial role so that people are competent and know the roles. The provinces including the province of Quebec will see where we are heading, what kind of vision we have and so on.

Today in question period again I was a bit disappointed. The Bloc Quebecois raised the idea of where the country was heading. The Prime Minister was asked about a distinct society and what it means. His response was that Quebecers would stay because we have the best country in the world.

That is what he said during the last referendum campaign. The gist of what he proposed was that no one would want to leave because it was the best country in the world. I agree it is the best country in the world, but it is not a vision for the country just to repeat that ad infinitum. We need something to communicate to the separatists in Quebec, to the federalists who are disenchanted with the status quo and to others indicating that we have something better, a third option.

There is separatism, the status quo and a third option in the middle. Reformers want to tell Quebecers we want them to stay in Canada. They should know up front that the third option includes strengthening some provisions of the federal government to make them solid. It would also make many other things solidly provincial.

When they are concerned about their culture, we could say that by all means culture should be handed off to the provincial governments, lower levels of government, private institutions, individuals, private organizations and so on. There is a lot of support for cultural activities in many provinces, regions, districts and whatnot.

We want to make clear that we will give the provinces plenty of powers which I believe are theirs constitutionally. The federal government will hang on to certain powers. We are not prepared to sell the country by diluting those powers.

• (1550)

The reason the previous speaker spoke about financial institutions in such detail is that a Reform government would continue to regulate financial institutions. That mandate will not reside with the provinces. The provinces need to know that. There would be discussions with finance ministers, interest groups and other parties, but the federal government, led by the Reform Party, would continue to hold the trump card. Financial institutions would not be given away to a lower level of government because they come knocking on the door asking for it. They need to be regulated by the federal government if a a common economic union is to be maintained. That is something we need from coast to coast and we want to emphasize.

I believe the Liberal government would agree with me that it is obvious that a country must regulate the monetary policy of its financial institutions. We are asking the federal government, in the time remaining before the next referendum, not to play games like the Prime Minister did today in question period. He said that everything was good, that it was a wonderful country and that no one would leave.

If we continue to use that argument heading into the next referendum, it will be like going into a battle of wits unarmed. When we say to people who are determined to leave that we know they will not leave because it is a great country, they will say that it is not working the way they want it to. They will ask: ''What is your vision of the country?'' If the attitude is to stand and say it is a great country and no one will leave, I am fearful we will lose the country.

We need to indicate where we are, where we are going, a step by step plan to take us there, and a vision of the country we can grab hold of. If the Prime Minister could lay out the vision he holds for the country, where he would like to take Quebec and the rest of the country, what he is offering, the division of powers and his constitutional proposals, Quebecers might grab it. If he continues to keep the cards close to his chest, wait until a crisis and hope he has the right card to play at the right time, it is a poker game he will lose.

The separatists know exactly what they want. I do not agree with them in any way, shape or form. The only thing they are countering is more of the same. Brian Mulroney in his speech last night said that we had to go back to offering them what he tried a couple of times. I do not agree. There must be something in the middle, a third option. The Reform Party has one. Maybe they do not like it but at least it is an option.

The Liberals would be wise to come up with an option. They are playing a dangerous game. They are going to court. They are saying those people cannot leave, that it is the greatest country so no one will want to leave. If those are the two arguments they are using in the debate, I fear for the next referendum.

On the other hand the Liberals should say that the regulation of financial institutions is a federal mandate and will remain a federal mandate, and that is the way it will be. Canadians and Quebecers want it that way. They want a common Criminal Code. They want federal control over monetary policy, defence, domestic trade and international trade. If a bunch of this other stuff is given in a third option because the provinces deserve it, they have a vision to sell. They have something to put out there. They cannot say that maybe financial institutions are on the table. They cannot say that maybe it is a provincial matter. Who knows? The liberals do not lay it out. They come to the table with an uncertain list of things they are dabbling with. The people who know what they want play them like a fiddler plays a fiddle. They just play them along and ask what else they will be given.

• (1555)

The end result, as I mentioned earlier, is that we came within a smidgen of going over the cliff in the last referendum. Mr. Bouchard is rubbing his hands in glee at the thought of facing a Prime Minister who does not know where he wants to take the country. Unless he gets out of the mindset he came here with 30 years ago that playing along and hoping to get by will somehow get us through the next set of crises, all it will take is one wrong step or a misstatement at the wrong time and the 40,000 votes on the no side last time will be on the yes side. Then what? Then we will have a real battle on our hands, a real problem.

I am pleased to reconfirm for Canadians that some things under the federal government need to be strengthened and maintained in a federal Parliament. We cannot have a country unless there is a strong central government on some issues.

The people of Quebec need to know that on many other issues there is a party offering a third option. It does not have to stay the

way it is. Quebec does not have to separate. The third option is a clear division of federal and provincial powers. They take what is constitutionally correct to take provincially and the federal government keeps control of the things it needs to control to maintain the country.

If Quebecers hear that option they will embrace it. The federal government would be wise to put forward its vision of the country rather than just say: ''I am okay, you are okay, everything is good''. If the Liberals put forward their vision of the country maybe Quebecers and the rest of Canada will say in the next election they are willing to take a vote on it.

That is what the Reform Party will be doing. I challenge the Liberals and any other party to come forward with a third option that makes sense for all Canadians and certainly for Quebecers.

Mr. George Proud (Parliamentary Secretary to Minister of Labour, Lib.): Mr. Speaker, I listened to the hon. member over the last few minutes speak on many issues. Sometimes he mentioned the bill we were debating.

However one part of his speech concerned centralization and decentralization. I understood the member to say there were things the federal government should be involved in and some it should not be involved in. We are talking about financial institutions in this debate.

Could the member give his views on what the role the federal government should play when dealing with provinces? What other things should we give to the provinces? What areas should we deal with in the governance of financial and other institutions?

Mr. Strahl: Mr. Speaker, I invite the member to check out the literature we will be campaigning on. We go into some detail in the document called ''The Fresh Start''.

We categorized the items we think the federal government needs to strengthen and maintain. We will focus federal powers in the following areas: defence, foreign affairs, monetary policy, regulating financial institutions, the Criminal Code and facilitating national standards. We have a group of proposals for increased spending on health care, for targeting spending on advanced education and so on. We have a group of items in the national standards list such as equalization, international trade, domestic trade and reform of national institutions such as Parliament.

In the 36th Parliament we will have plenty to do if we look after those 10 areas and if we make the changes I think are starting to be made now in this and in other bills. There is a lot of work to do in those 10 areas, especially when we get into the social policy side which I mentioned in those other areas.

We will eliminate the duplication and jurisdictional overlap between different levels of government by giving those areas—

[*Translation*]

The Acting Speaker (Mr. Milliken): It being 4 p.m., it is my duty, pursuant to the order adopted on Thursday, April 10, 1997, to interrupt the proceedings and put forthwith all questions necessary to dispose of the third reading stage of the bill now before the House.

[*English*]

The question is on the main motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Milliken): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Milliken): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Milliken): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Milliken): Call in the members.

● (1625)

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 305*)

YEAS

Members

Anderson	Arseneault
Assadourian	Augustine
Beaumier	Bélair
Bellemare	Bethel
Bevilacqua	Bodnar
Bonin	Brown (Oakville—Milton)
Bryden	Caccia
Calder	Campbell
Cannis	Catterall
Chamberlain	Chan
Cohen	Collenette
Collins	Comuzzi
Copps	Cowling
Crawford	Culbert
Cullen	DeVillers
Dhaliwal	Dingwall
Dion	Discepola
Dromisky	Duhamel
Dupuy	Easter
Fewchuk	Flis
Fontana	Fry
Gagnon (Bonaventure—Îles-de-la-Madeleine)	Gallaway
Gerrard	Godfrey
Goodale	Gray (Windsor West/Ouest)
Guarnieri	Harb

Harper (Churchill)
Hickey
Hubbard
Irwin
Karygiannis
Kirkby
Lastewka
LeBlanc (Cape/Cap-Breton Highlands—Canso)
Lincoln
MacLellan (Cape/Cap-Breton—The Sydneys)
Marchi
Massé
McGuire
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Milliken
Minna
Murphy
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Reed
Rideout
Robichaud
Serré
Speller
Steckle
Szabo
Terrana
Ur
Verran
Walker
Whelan
Zed—125

Harvard
Hopkins
Ianno
Jackson
Keyes
Knutson
Lavigne (Verdun—Saint-Paul)
Lee
Loney
Malhi
Marleau
McCormick
McKinnon
McTeague
Mifflin
Mills (Broadview—Greenwood)
Mitchell
Murray
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Regan
Ringuette-Maltais
Scott (Fredericton—York—Sunbury)
Sheridan
St. Denis
Stewart (Brant)
Telegdi
Torsney
Vanclief
Volpe
Wappel
Wood

NAYS

Members

Ablonczy
Bachand
Bellehumeur
Blaikie
Brien
Chrétien (Frontenac)
Cummins
Debien
Dumas
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Grubel
Guimond
Hanrahan
Hill (Prince George—Peace River)
Jacob
Lalonde
Langlois
Lavigne (Beauharnois—Salaberry)
Loubier
Martin (Esquimalt—Juan de Fuca)
Ménard
Meredith
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Pomerleau
Ringma
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Tremblay (Lac-Saint-Jean)
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Althouse
Bélisle
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Fillion
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Gilmour
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hoeppner
Johnston
Landry
Laurin
Leroux (Shefford)
Marchand
McLaughlin
Mercier
Mills (Red Deer)
Penson
Ramsay
Rocheleau
Schmidt
Solomon
Strahl
Venne
Williams—66

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare the motion carried.

(Bill read the third time and passed)

Mr. Zed: Mr. Speaker, I think you will find unanimous consent for the House to now proceed to third reading of Bill C-55.

The Deputy Speaker: Is there unanimous consent?

Some hon. members: Agreed.

* * *

• (1630)

[*Translation*]

CRIMINAL CODE

Hon. Pierre S. Pettigrew (on behalf of the Minister of Justice and Attorney General of Canada) moved that Bill C-55, an act to amend the Criminal Code (high risk offenders), the Corrections and Conditional Release Act, the Criminal Records Act, the Prisons and Reformatories Act and the Department of the Solicitor General Act, be read the third time and passed.

Mr. François Langlois (Bellechasse, BQ): Mr. Speaker, first I want to thank the parliamentary secretary and member for Prince Albert—Churchill River for agreeing to reverse the order during the debate at third reading, since the subcommittee on national security will meet at 4.45 p.m.

When Bill C-55, which amends the Criminal Code and several other acts, was first introduced, the official opposition expressed some reservations, particularly as regards new clause 810.2 of the Criminal Code, as proposed at the time, and the clause dealing with electronic surveillance.

I will get back in a few moments to these two clauses, which seemed to present a problem at the time, to see how these issues were solved.

Bill C-55 provides the Canadian justice system with the tools needed to deal with a new reality, with a new approach towards criminals and with changes to the criminals' behaviour, because the traditional notion of what constitutes a crime has evolved during the last few years and the last few decades in Canada.

Since this bill aims at keeping a closer eye on dangerous criminals, at providing the justice system with the means to act in

order to prevent dangerous offenders from being released, it is a step in the right direction, because it gives us tools we did not have before and without which we could not control, at the end of a sentence, the behaviour of an individual who obviously is going to reoffend.

Bill C-55 allows the government, through the courts, to act in order to control dangerous offenders by giving indeterminate sentences. It also adds a new category of criminals who will be designated as long term offenders and it includes provisions that make the release of some inmates subject to certain conditions, where the inmates will have to report and guarantee that their release will represent the lowest possible risk for society. We can easily agree that we need to get involved in these matters, as we mentioned at second reading.

That left us with the two obvious issues raised by section 810.2 and the provisions concerning electronic monitoring, which were giving up some problems. By the way, these two clauses were considered in detail in committee.

Section 810.2 as it was introduced in this House was totally unacceptable. It meant to give the attorney general the power to use an institution set up, according to our criminal law, to settle the relations between individuals, what is called a ''peace bond'' in English. This is a procedure created under British common law in which the state or the crown does not interfere. The classic example university students are given is that of a rejected lover who keeps pursuing his old flame, who in turns asks for a court order in order to get some peace, hence the term ''peace bond'', I guess.

● (1635)

In the original bill that was brought forward, section 810.2 authorized the attorney general to request, on behalf of the state, the issuance of a peace bond requiring the person against whom the peace bond has been issued to comply with strict conditions.

The state was interfering with private relationships in criminal or privacy matters, which seemed unacceptable to us when we studied the bill, and at the second reading stage.

Things have evolved, and our position was strongly supported by most witnesses who addressed section 810.2 specifically before the justice and legal affairs committee. Almost all of them said that the attorney general should not have the authority to request the issuance of a peace bond against someone.

And we can see where the problem lies because we can imagine a situation where a judge, having heard a criminal case, may very well decide to acquit the accused on the basis of reasonable doubt, but in the case of a request by the attorney general for the issuance of a peace bond, the same judge having heard the same evidence may say: ''I did acquit you on the basis of reasonable doubt, but on the basis of the preponderance of evidence, I come to the conclusion that you have committed the offence and that measures must be taken to protect society against you''.

So there was a risk of having a grey category of people in Canadian society. We would have had people who were guilty, people who were innocent, of course, which is the vast majority of Canadians, but also people against whom a peace bond had been issued at the request of the state and who, having not been convicted of any criminal offence, would have had to account for their time and whereabouts to a probation officer or to the court. We thought it was absolutely unacceptable.

In a free society such as ours where criminal law principles are based on age old values, we cannot tolerate or accept a situation where a person is in legal limbo, not knowing what his or her rights are.

There are innocent people, and every citizen is presumed innocent, and there are some who have been found guilty.

The amendments to section 810.2 mean that, henceforth, under the wording as it now stands at third reading, following pressure from the official opposition, following pressure from witnesses who appeared before the Standing Committee on Justice and Legal Affairs, section 810.2 has a new wording. I thank those who paid attention to the representations made for having taken them into account and given us a wording that now means that the peace bond provided for in 810.2 again becomes an bond between two people, to be used by an ordinary citizen against another person disturbing his peace.

The only requirement that will be made under section 810.2, which is certainly a rather special peace bond given the consequences for anyone who violates it, is that an individual who wishes to avail himself of these provisions must so inform the attorney general.

I think it normal, in an orderly society, that the attorney general responsible for the administration of justice under the provisions of our constitutional laws be aware of what is happening before our courts.

The amendment to 810.2 disposes of our first objection in a positive manner. There goes one obstacle to our supporting Bill C-55. The public's rights are protected, but so are the rights of individuals, primarily the fundamental rights that are the heritage of those who for decades, not to say centuries, helped construct our criminal law, whether in the United Kingdom or in Canada. The values passed down to us are the same.

● (1640)

It would have been unfortunate if a section passed on the sly challenged the very basis of what makes our criminal justice system so rich, that is the presumption of innocence and the clear distinction between the rights of individuals.

Our second concern was about electronic surveillance involving those famous wrist bands to monitor someone without having to put him in jail. Was this appliance appropriate? One can still have concerns about it.

Of course, at present, there is a considerable number of inmates, probably even a critical mass, so to speak, who do not have to be physically detained to be monitored. Those people represent a low to moderate risk. Can we rely on a system whereby a person wearing a wrist band will stay in contact by telephone with a police station in order to allow it to monitor his presence inside a given perimeter?

Our main objection concerned the effectiveness of such a system and our capacity to apply it everywhere in Canada. Such measures would probably be easy to apply in cities like Toronto, Montreal, Quebec or Vancouver. However, in vast areas where communications are uncertain, where distances are so great that police stations that could act as headquarters for the monitoring of a criminal wearing a wrist band are quite far apart, I suggest that it would be difficult to implement such a system. Will inmates have to move to be eligible to the electronic surveillance program? I do not know.

I still have doubts, but some of my concerns were answered in committee by some of the studies. They were answered, but we should keep in mind that witnesses told us that in the United States, for instance, field trials have shown that should the authorities lose contact with an individual, the electronic bracelet could be used—this is not in the bill—to inject a toxic substance causing cramps, diarrhoea or other rather debilitating physical symptoms.

The loss of contact with the monitoring centre might be accidental. One must realize that there are limits. Let us try out the electronic bracelet. This piece of legislation could be revisited in a few months or a few years if problems arise; however, we should be aware that well organised groups, mainly south of the border, especially in the United States, have done research, are ready and have a technology that would make it possible to go much further and take steps that are unacceptable in a free and democratic society.

The reliability of an electronic bracelet system can also be questioned. Will people lose contact with their monitoring centre unexpectedly, by accident, through no fault of their own? False alarms are quite possible in this area. This is probably a chance we have to take, if we want to see how good the system is.

Of course, it will alleviate the problem of overcrowded prisons by not incarcerating a number of people who should not be put in jail and who are a financial burden first for the government, but also in terms of human resources remaining inactive. One should not think that keeping track from afar, by means of an electronic bracelet, of an individual who should be monitored is a panacea, the solution to all that ails us.

• (1645)

But since the evidence presented to the Standing Committee on Justice and Legal Affairs shows that the advantages are greater than the disadvantages, we are ready to give it a chance and support the present wording of Bill C-55, including the clause on electronic surveillance of prisoners, subject to the earliest possible reassessment.

There were some other points, such as accelerating the rehabilitation of prisoners who do not belong in prison, or penitentiary in the case of federal jurisdiction. We can also support these measures.

In the end, after the committee review, our position changed because the bill was amended. Clearly I always come back to section 810.2, which was the main hurdle. Since it has been amended, we no longer have any reason to object to the bill so we will support Bill C-55 at third reading.

[*English*]

Mr. Gordon Kirkby (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am very pleased to address Bill C-55 as amended by the Standing Committee on Justice and Legal Affairs.

I trust that all members have noted the significant amendment to the judicial restraint order provision, deleting references to electronic monitoring.

I want to emphasize to members the crucial importance of this bill. The Canadian public has told us without equivocation that it wants the government to devote its attention to violent criminals, to spend the criminal justice dollar where it will do the most good.

Bill C-55 responds to that demand by giving the police, prosecutors and judges new tools for controlling violent offenders. It might have been easier for the government to simply amend the Criminal Code so as to lengthen sentences for every kind of offence. For example, if we doubled prison terms for every offence or imposed mandatory minimum sentences for every crime, it undoubtedly would have an impact. Of course the courts would be clogged with trials, are penitentiaries would be bursting at the seams and federal spending on corrections would expand almost endlessly.

I do not believe that Canadians want such sweeping, unselective measures. They have told us they want well targeted laws that get tough with violent offenders.

The public response to Bill C-55 has been very positive. The government supports the new long term offender concept which, in combination with the existing dangerous offender law, gives prosecutors another way to achieve long sentences for sex offenders.

I would like to briefly list the major innovations contained in Bill C-55. Each of these changes improves the criminal justice system's ability to target high risk offenders. Along the way I will

mention three of the amendments contained in the standing committee's report.

Bill C-55 improves the dangerous offender procedure contained in part 24 of the Criminal Code by requiring that a judge impose an indeterminate sentence in each case where a dangerous offender finding is made.

Previously it was possible in exceptional circumstances for the court to impose a limited period of incarceration, although such sentences were rare. In foreclosing that option we are not really limiting the alternatives available to the court. An indeterminate sentence is fully justified when we consider that the prosecution will have proven in a special hearing that the offender has shown a pattern of repetitive behaviour and the likelihood of causing death or injury to other persons or causing severe psychological damage on other persons through failure in the future to restrain his behaviour.

Bill C-55 also changes the date of the initial parole review of a dangerous offender from the third year of incarceration to the seventh year. It is important that offenders be eventually considered for parole. The fact that we are locking these offenders up indefinitely does not remove the need from a legal perspective for having a review of their dangerousness, but there never was any magic in conducting the first parole review after only three years. In fact, experience has shown that dangerous offenders are never released after such a short time.

• (1650)

A review at the seven year point seems more reasonable and more in line with the parole eligibility of violent offenders who otherwise receive long sentences of fixed duration. By the way, Bill C-55 would continue the provision for subsequent parole reviews every two years.

Another innovation created by this bill is the extension of the period during which the crown may bring a dangerous offender application. The proposed section 753(2) will allow the prosecutor to give notice to the offender of a possible intention to make a dangerous offender application within six months. It is quite possible that new victims or witnesses may come forward after trial who will show the true extent of the offender's criminality and whose evidence can fully establish the pattern of past brutality required to meet the dangerous offender standard. This new clause gives the crown the flexibility it needs to put together its case in the aftermath of a trial and sentencing.

A balance has been struck by the drafters of this provision. We have heard proposals to amend the Criminal Code to allow the dangerous offender application at anytime during the sentence or perhaps during the last year of sentence. Quite simply these models would not survive a constitutional challenge, a charter challenge, but this new window of opportunity is workable. It applies for six months beyond the conviction and sentencing.

It is circumscribed by rules that respect the rights of the defendant. For example, the prosecution must show that the new evidence has emerged that was not reasonably available at the time of sentencing and thus the crown has to exercise due diligence in the first place in marshalling evidence. Only when new relevant evidence appears can the delayed dangerous offender application be launched.

Bill C-55 also removes the requirement that two psychiatrists testify at every dangerous offender hearing. A few witnesses before the the standing committee criticized this change in the law as though it somehow impinged on the rights of the defendant or reduced his ability to defend himself. This change does not reduce the ability of the defendant to introduce expert evidence and call evidence. The Criminal Code and the Canada Evidence Act continue to apply. All this amendment does is avoid the requirements for two psychiatrists to appear at every hearing. Unfortunately there is a shortage of qualified available forensic psychiatrists in some parts of Canada. In fact, in many dangerous offender cases both sides end up agreeing that one psychiatrist should testify.

The long term offender sentencing category is at the centre of Bill C-55. This is a new measure. It not only enables the prosecution to seek extended controls over various kinds of serious sex offenders, but the procedure set up by Bill C-55 is linked to the dangerous offender process so that in many cases a long term offender finding may result as an alternative when a dangerous offender application does not succeed. It is worth taking a moment to explain the interaction between the two procedures.

Let us assume that we are dealing with a case of aggravated sexual assault involving an offender with a history of violent offending. Upon conviction for the individual offence of aggravated sexual assault the crown can seek from the court a remand for assessment by experts. This assessment with serve both purposes, either a dangerous offender application or a long term offender application. Hopefully the assessment will invoke the skills of psychiatrists, criminologists and others who can come up with a sophisticated assessment of the risk posed by the offender.

• (1655)

Once the assessment report is filed the prosecution can then decide which kind of application to make, but the crown has flexibility. This is the important point. Even if a dangerous offender application fails, the court can still find the offender to be a long term offender, provided of course that the criteria are met. In effect the court can say that the threshold for a dangerous offender finding is not satisfied but the same evidence supports a long term offender finding.

Alternatively, the court can move quickly to bring a second hearing on top of the long term offender issue and accept more evidence.

I would like to highlight one of the amendments contained in the standing committee's report. The Criminal Code already provides for input by victims of crime in criminal proceedings, either by personal testimony or through victim impact statements. It will certainly be important to hear from victims during the dangerous offender hearing. However, as I mentioned, when a dangerous offender finding is not made the judge may proceed with a second hearing on the long term offender issue. This could impose a hardship on crime victims if they have to testify again at a second hearing. Therefore the amendment explicitly states that any evidence already given by a victim or a victim's family at a dangerous offender hearing is also deemed to have been received at the subsequent long term offender hearing.

The long term offender idea has received broad support. During the standing committee hearings it was supported by the Canadian Police Association, the Canadian Association of Chiefs of Police, the British Columbia Civil Liberties Association, the Canadian Resource Centre for Victims of Crime and the victims rights group CAVEAT, among others.

It targets sex offenders. It essentially goes after that group of offenders just below the dangerous offender level. These are sex offenders who are likely to receive serious prison time but who perhaps do not warrant an indeterminate sentence.

Under Bill C-55 proposals they will indeed get their usual sentence of incarceration but in addition, and when found to be long term offenders, the court will order up to ten years of additional supervision in the community. Only when the offender has completed his penitentiary sentence, including parole, will the long term supervision period begin.

The long term offender criteria requires on the one hand that the court find that there is a substantial risk that the offender will reoffend, on the other that there is a reasonable possibility of eventual control of that risk in the community.

Are we trying to be optimistic and pessimistic at the same time? Let me point out again that the offender will get the usual sentence for imprisonment for his crime. The additional long term supervision period allows the national parole board and the correctional service to control the offender's gradual transition back to community life. The provision is intensive and the long term offender who breaches any of the conditions of the court's order can be pulled back into custody, not to mention charged with the newly created offence of breach of a long term supervision order.

The third pillar of Bill C-55, which is admittedly controversial, is the new judicial restraint order to be added to the Criminal Code as section 810.2. I remind my colleagues of the purpose of this new measure. This restraining order is modelled on the existing section 810.1 which was designed to prevent offences against children.

This new order is designed, somewhat more generally, to prevent serious personal injury offences. Despite the controversy swirling around this measure, its underlying principle has been clear from the beginning. The goal has always been to prevent violent incidents, to establish in a court of law the risk presented by certain individuals and to command those individuals to keep the peace and be of good behaviour; in other words, to meet the standard of conduct that is expected of them as participants in society. Conditions may be attached to these orders in much the same way that conditions are attached to probation orders or to other peace bonds.

● (1700)

A lot of newsprint has been devoted to the question of electronic monitoring in section 810.2. The original bill envisioned electronic monitoring controls being imposed as a condition attached to the judicial restraint order but only where the court thought it would be appropriate and where such programs are available. In case some of my colleagues think that electronic monitoring is an abstract idea or science fiction I invite them to look at the facts. Several Canadian provinces use electronic monitoring in conjunction with supervision to manage probationers and other offenders.

British Columbia, for example, has 350 offenders in its program at any one time. These programs are expanding. Call it what you want, a control mechanism, a monitoring device, a crime prevention tool, electronic monitoring programs have their place.

However, concerns have been expressed about the capacity of the criminal justice system to use the technology appropriately and with sufficient moderation in the context of restraining orders. The most common use of technology has been to ensure that the offender remains in his or her home and only leaves the premises according to a set schedule.

We are all familiar with the concept of electronic bracelets being applied to offenders. The standing committee, after hearing a number of witnesses, concluded that we should be cautious in the use of such technology in situations that are entirely preventive. In other words, electronic monitoring, as presently used by Canadian provinces, curtails liberty to some extent. We should be careful in applying it where the subject is not actually convicted of any offence.

The reprinted bill deletes all explicit references to electronic monitoring in connection with the proposed judicial restraint order and I believe that this significant change should satisfy the critics of the legislation.

To summarize, Bill C-55 as amended, delivers on the government's commitment to strengthen the law to control sex offenders. It is solidly based on three years of work by the federal-provincial

task force. It is supported by the provinces which ultimately have the responsibility of prosecuting these offenders.

Police support this bill. The standing committee supports it and has introduced amendments to improve it. I commend this bill to my colleagues.

I just want to add that the bill presents another significant step forward in the efforts of the government to make our streets and homes safer places to be. The Minister of Justice has introduced significant reforms to criminal justice. As well, the Solicitor General has introduced a number of reforms. More reforms have been introduced to the criminal justice system, more steps have been taken to toughen up the criminal justice system than have ever been taken by any single government in the history of our nation.

This is something of which we can be very proud. This particular effort is the result of collaboration between the federal government, the provinces and hearing submissions from the many interested parties. I wish to thank all those who have been involved in the process.

As a number of commentators have indicated, the bill is the most significant improvement and change in the Criminal Code in dealing with violent offenders that has been introduced in decades. Of that we can be very proud. I commend the Minister of Justice for his efforts, those on the standing committee who have put forward some intelligent, common sense amendments and for all the hard work that has been put into this bill, a lot of people deserve credit. We commend it to the Canadian people.

• (1705)

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, if that is the best this government can do, no wonder the country is in trouble. If that is the best bill the justice minister can come up with to deal with violent offenders, no wonder there are so many victims out there. It is going to continue because the bottom line is that violent offenders will still be released back out into the community. The checks and balances are neutral when it comes to dealing with the most violent offenders in our society.

Let us look at some statistics. These are from the parole board. This data from the board deals with violent and serious offenders. It states that only about one-half of a violent offender's sentence is served. I would assume that includes murderers. Attempted murderers, for example, serve an average of 48 months when the courts have really sentenced them to 94 months. That is only one-half of the sentence. The parole board is releasing violent criminals after they have served one-half of their sentence. In the cases of manslaughter, the actual time served by the offenders averaged 44 months when the original court sentence was 84 months.

Finally, with respect to people who have committee aggravated assault or rape, the average offender was released after having served 49 months, 4 years, of a sentence of 79 months. This bill does not address any of that other than the fact that the government insists on releasing the violent offenders back out into the community.

What are the answers? I think there are answers. First, we have to start looking at what is happening in our courts. A sentence given is not served any more, as I have stated. Approximately one-half of the sentence is served. It is high time we went back to truth in sentencing. The rehabilitative model that is touted on the government side has been a dismal failure. Truth in sentencing laws would bring some sort of balance back into the system.

If a rapist received a 10-year sentence, which it is unlikely, he would then serve that sentence. That is what we and the people of this country are looking for and want. People want to have a measure of safety in their communities. Unfortunately many people are not feeling that which will be very evident in the next election.

Just going door to door in my riding I am picking that up at the door. I know that the members across the way are also picking that up. In fact, there are some people in the lobby right now visiting from British Columbia who are picking it up because they have been personally hit by crime as victims. Apart from that, the average person feels very uneasy and unsafe on our streets right now.

We talk about truth in sentencing and about a sentence given should be a sentence served. In other words, life should mean life with no eligibility for parole. Why should a first degree murderer get out on the street at any time? There is no reason for it. Why should a man who has taken another man's or woman's life get out on the street?

If we look at the statistics on first degree murderers we see that out of the 46 who applied for early release up to mid-1995, 11 killed women: their wives, girlfriends or people they knew. They received early release. I would say that a murderer would definitely fall into the classification of a dangerous offender. Yet those who have been convicted of that heinous crime are being released on to the street.

• (1710)

Eight of those 46 killed policemen. That is a deliberate act. No mistake can be made that it was other than the intention of killing the police officer, the person in authority.

Three of those murderers who obtained early release killed children. I am sorry but I do not see this bill addressing any of that. The sentence given by the courts is being chopped by the parole board and by applications for early release. Now other provisions under section 55 allegedly restrain them further but I do not see

where the restraint is. Violent offenders are still getting out on our streets. Bill C-55 does not stop it.

The parliamentary secretary spoke of indeterminate sentencing, that a court will decide whether or not the offender will continue to serve his time. That may be well and good but it is also putting it on the shoulders of the courts. The court's dealings with those types of offenders has not been very good.

I have an individual in my riding by the name of Tocher. I mentioned him the other day. Since 1982, he has been abusing kids. He abused three boys in the last set of offences. Now he is in court and has been given a short sentence again, something like 18 months. He has been doing that since 1982. He has been in and out of the court system five times for similar types of offences. What good are the courts doing? He has never been declared a dangerous offender. That available to the courts at the time. What is going to change? It is just going to be business as usual.

The answer to the alleged crowding problem in our prisons is to release him into the community. I do not see Bill C-55 changing a whole lot.

How can we have a guarantee that the message is going to get to the criminal? What is the guarantee? The criminal has to understand that if he steps across the line that this will happen to him. The sentence, the incarceration and the place where he spends it will not be pleasant because he stepped over the line.

We put an amendment forward on this bill. It was called a two strikes amendment. In other words, if someone commits a violent offence, and serves the majority of the time, the message would be sent to that offender that if he committed a second offence, he would go away for an indefinite period of time. The sentence will be a minimum of 15 years if he commits another violent offence, perhaps even longer, maybe even life.

That message has to be sent to the offender. It is a revolving door in our prisons. It is a well known fact that 70 per cent of those serving time have served time before.

There is no reason why the government could not send that message to a criminal. The criminals are getting arrogant because they know they can get away with too much. They are getting arrogant when they pick on our kids. They do it time and time again because nothing happens to them. They are not treated like criminals. Sure, they are restrained from moving around for a little while but everybody rushes to protect them and support them. Some say that it is society's fault. Unfortunately it is their fault because they are the ones who chose to commit the crime that put them in jail.

• (1715)

I have said these things in public before. There is no reason I should not have said them. I think the majority of people want to see stiffer penalties for prisoners.

I paid a visit to the Bowden Institution, a prison in Alberta. The prisoners heard that I was coming and circulated a petition about my anticipated arrival. Many of those serving time look at me as a threat because I tell them that they should be working for a living. Even if they are behind bars they should be productive. The productivity rate inside our prisons is a dismal shame. If prisoners are not unemployed in prison, the majority of them are underemployed by far. Part of my theme was that they should be working for a living.

Activist prisoners within the prison system circulated a poster that said: ''Art Hanger is coming to threaten the inmates of Bowden. Art Hanger wants you to have no temporary absences or parole''. They are absolutely right. I do not want them to have a lot of temporary absences or parole. Why should they have? They are serving time for committing the crimes that put them in there. They should be paying society back for their crimes. They should be doing something instead of being out on parole. The parole system is obviously not working.

The poster also said: ''Art Hanger wants you to be involved in slave labour''. I do want them to work, absolutely. Why should they not work? They call that slave labour. They should be doing all kinds of things. Maybe they should even be earning a wage and a portion of it could go to support the victims they victimized. They could pay for their room and board. Then maybe they could keep some of the money left over as a stake for when they get out.

There is another nonsensical part of the Correctional Service of Canada's policy. Inmates are only allowed to accumulate $80. When they walk out the door of the prison they have no money in their pockets. They have barely enough to survive for a night. They should at least be earning minimum wage but they should be productive. They should be doing something.

The poster goes on to say that I want them to have no recreation. The riot in Millhaven was a result of change in routine. Inmates felt they should have more recreation time. To get their point across they killed a man. They wanted to tell management they were unhappy because they were not getting what they wanted, more recreational time or a return to the old routine. There is something wrong with that mentality.

The poster goes on to indicate that I want them castrated and tortured. I do not want them castrated or tortured. Nor has Reform ever said that in any of its policies. This is their concern. I understand why they may have that concern in that 70 per cent of the inmates in the Bowden Institution are sex offenders.

There is something wrong with the attitude of the offenders in our jails today. It has been nurtured by the corrections policy and supported by government sanctioned rights. There is something wrong.

It went on to say that I wanted them locked up for 24 hours. I want them locked up for 24 hours. In fact I want them locked up until they serve their entire sentences, as do most people in the country do. The violent offender should not get out until he has served his sentence. The violent offender should stay in there and work to pay for his keep.

● (1720)

The poster summed up their list of complaints about me in the following statement: ''Art Hanger wants you dead''. I do not want them dead. I want them to correct their behaviour and I see that the present system is not helping them do that. It is creating arrogance among the prison population. They know they will not be punished for what they do. They will be detained for a while, but everybody rushes in to protect them, to help them and to counsel them. There is no punishment. from the viewpoint of those inside that is what our system is all about. I might add that is shared by prisoners in other prisons. I have talked to enough prisoners to know.

There is also something wrong on the management side, the policy makers. Along with two other members I had an opportunity to go to Edmonton maximum security in December 1995. There was a lot of snow on the ground. It was much like northern Saskatchewan where the parliamentary secretary to the justice minister lives. The prison houses approximately 400 prisoners. The warden heard we were coming. He wanted to make sure the staff of the prison knew we were coming. He sent out a memo which happened to get into the hands of the press and of the Reform Party. This is what it stated:

> The members for Calgary Northwest, Fraser Valley West and the member for Wild Rose will be visiting us on December 1, 1995. These gentlemen are known to be ardent critics of CSC and are quite vocal in expressing their views.
>
> I want to ensure that Edmonton Institution is at its best, giving very little reason for criticism. Therefore this institution will be spotless. Areas needing paint will be painted. Inmates will be visibly at work during their tour (as they should be anyway) and programs will be in full swing. This includes the protective custody unit.
>
> I do not want to see inmates lying around doing nothing (not that this would happen anyway). I have not seen a lot of activity that involves inmates shovelling snow. The walks should not be cleared with snow-blowers. Push shovels are more appropriate. Buy them if you need them.

For what? The message was just because we came to visit them. They wanted to have the appearance that everything was okay and that everyone in the prison was working. There is something wrong with a policy that allows things like that to happen in our prison system.

As a result Bill C-55 is an attempt to sound like something is being done. What is being done? Nothing. There is no punishment in the present correctional system. There is no accountability as there should be. It is a revolving door.

We would like to see accountability. We want to see sentences delivered by our courts fully served, especially those of violent offenders. We want to see two strikes legislation. Why should a person after being released once and committing another violent offence have the same opportunity to serve another short sentence and be back out on the streets to do it for a third time? Why should that happen? No wonder the list of victims and victims groups is growing. It will continue to grow because violent offenders are still being released into society. Their behaviour has not been corrected in spite of all the programs and the case management reports.

● (1725)

I thought of another case management report directed to the killer of a policeman. A fellow, Craig Munro, allowed a police officer to bleed to death after he shot him and held him hostage. Now he is applying for early release. He is a shooter. The man should not even have an opportunity to make application. Yet the government is insisting on leaving that provision in there. It is insisting on turning violent criminals back out on to the street under Bill C-55.

I turn to one of the most significant devastating crimes in this decade and in the ones coming up. I am referring to the area of sex crimes, pedophilia, and crimes against children. It already is extensive. If we talk to the sex crimes and child abuse units in any police department, we find they cannot even handle the number of complaints they get. They have to refer them to social services. The cases they are referring are becoming more and more intense, difficult and substantive. The police cannot keep up.

How will we handle pedophiles? Long term offenders provisions will not do it. The parliamentary secretary to the justice minister should explain how that will happen. It will not going to happen. It will be status quo court decisions and status quo incarceration for very short periods of time.

I just finished relating the story of Mr. Tocher and the number of times he has been in and out of the prison system. He kept going back and forth over the last 15 years. He is victimizing our kids. Is it any wonder parents complain when they see somebody hanging around a playground zone such as happened in Calgary? Parents complained about a adult male hanging persistently around the playground zone. They were frightened and the police could not do anything about it. He had a record as a pedophile and the police could not do anything about it.

I said I would do something about it. They organized and protested in and around the park until the police went in there and laid some charge on him. It is awareness. Parents are concerned about their kids and the long term offender provisions in Bill C-55 will not touch them. Most police officers, most prison staff and even psychiatrists say that pedophiles cannot be cured. What can we do? We should keep them in prison for a long, long time.

It should be on the shoulders of the psychiatrist and whoever else signs the document that releases a pedophile to guarantee he will not reoffend. If he does they should pay the consequence. Somebody has to be held accountable and that is not happening in our present system.

Many provisions in Bill C-55 sound like they are doing the right thing. Pedophilia is inadequately addressed. The Criminal Code should be expanded to address the impact which pedophilia has on kids.

I have not addressed the judicial restraint provision which, as the parliamentary secretary stated, will be in section 810 of the Criminal Code. That provision will be extremely difficult to enforce.

The Reform Party will vote against the bill, in part because the government did not accept the amendments put forward by Reform. Those amendments would have made the bill much stronger.

The Deputy Speaker: It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Davenport—the environment; the hon. member for Chicoutimi—social housing.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

CROWN CORPORATIONS

The House resumed, from April 11, consideration of the motion.

The Deputy Speaker: It being 5.30 p.m., pursuant to order made Friday, April 11, 1997, the House will now proceed to the taking of the deferred recorded division on Motion M-260, under Private Members' Business.

Call in the members.

● (1750)

Before the taking of the vote:

The Deputy Speaker: The recorded division will be taken row by row starting with the mover.

● (1800)

(The House divided on the motion, which was negatived on the following division:)

(*Division No. 306*)

YEAS

Members

Ablonczy	Althouse
Anderson	Arseneault
Assad	Assadourian
Augustine	Bélair
Bélisle	Bellehumeur
Bellemare	Benoit
Bertrand	Bethel
Bevilacqua	Blaikie
Bodnar	Bonin
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Brien	Brown (Oakville—Milton)
Bryden	Caccia
Calder	Cannis
Canuel	Catterall
Chamberlain	Chan
Chrétien (Frontenac)	Clancy
Cohen	Collenette
Collins	Comuzzi
Copps	Cowling
Crawford	Crête
Culbert	Cummins
de Jong	de Savoye
Debien	DeVillers
Dhaliwal	Dion
Discepola	Dromisky
Duceppe	Duhamel
Dumas	Duncan
Dupuy	Epp
Fewchuk	Fillion
Flis	Fontana
Frazer	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Gallaway
Gauthier	Gerrard
Godfrey	Godin
Grey (Beaver River)	Grubel
Guarnieri	Guay
Hanger	Hanrahan
Harb	Harper (Simcoe Centre)
Harvard	Hill (Macleod)
Hill (Prince George—Peace River)	Hopkins
Ianno	Irwin
Jackson	Jacob
Johnston	Karygiannis
Keyes	Kilger (Stormont—Dundas)
Kirkby	Kraft Sloan
Landry	Langlois
Laurin	Lavigne (Verdun—Saint-Paul)
Lee	Leroux (Shefford)
Lincoln	Loney
Malhi	Marchand
Marchi	Marleau
Martin (Esquimalt—Juan de Fuca)	Massé
McLaughlin	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Mercier	Meredith
Mifflin	Mills (Broadview—Greenwood)
Mills (Red Deer)	Minna
Mitchell	Murphy
Nunez	O'Brien (London—Middlesex)
O'Reilly	Pagtakhan
Paradis	Parrish
Patry	Peric
Peterson	Pettigrew
Phinney	Picard (Drummond)
Pickard (Essex—Kent)	Pillitteri
Pomerleau	Proud
Ramsay	Reed
Regan	Richardson
Rideout	Riis
Ringma	Robichaud
Robinson	Rocheleau
Rock	Sauvageau
Schmidt	Scott (Fredericton—York—Sunbury)
Scott (Skeena)	Serré
Sheridan	Silye

Simmons
Speaker
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Whelan
Williams
Zed—173

Solomon
Speller
Steckle
Strahl
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
White (Fraser Valley West/Ouest)
Wood

NAYS

Members

Nil/aucun

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare the motion carried.

Mr. Guimond: Mr. Speaker, I would like to indicate to the House that if I had been here for the vote, I would have voted yes. I would like my vote to be registered for the next divisions.

GOVERNMENT ORDERS

[*English*]

CANADA MARINE ACT

The House resumed from April 14 consideration of Bill C-44, an act for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending the repealing other acts as a consequence, as reported (with amendments) from the committee.

The Deputy Speaker: The question is on Motion No. 1. A vote on Motion No. 1 applies to Motions Nos. 30, 50 to 57 inclusive, 60, 63, 82 and 113.

Mr. Kilger: Mr. Speaker, I rise on a point of order. If the House would agree, I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

The Deputy Speaker: Does the House give its unanimous consent?

Some hon. members: Agreed.

The Deputy Speaker: The problem is that everybody voted yes last time. Apparently we will need one more vote.

Mr. Kilger: Mr. Speaker, I understand that some members may not have voted on the previous motion. It might be worth our time to have one vote to identify the full participation of the members presently in the House. Then, hopefully we will have the co-operation required to apply the vote. I would suggest that we go ahead with the vote as you had planned.

● (1810)

[*Translation*]

(The House divided Motion No. 1, which was agreed on the following division:)

(*Division No. 307*)

YEAS

Members

Ablonczy
Arseneault
Assadourian
Bélair
Bellehumeur
Benoit
Bethel
Bodnar
Breitkreuz (Yellowhead)
Brien
Bryden
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Copps
Crawford
Culbert
Cummins
Debien
Dhaliwal
Discepola
Duceppe
Dumas
Dupuy
Fewchuk
Flis
Frazer
Gagnon (Québec)
Gauthier
Godfrey
Grey (Beaver River)
Guarnieri
Guimond
Hanrahan
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hubbard
Irwin
Jacob
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
Massé
McKinnon
McTeague

Anderson
Assad
Augustine
Bélisle
Bellemare
Bertrand
Bevilacqua
Bonin
Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton)
Caccia
Cannis
Catterall
Chan
Clancy
Collenette
Comuzzi
Cowling
Crête
Cullen
de Savoye
DeVillers
Dion
Dromisky
Duhamel
Duncan
Epp
Fillion
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Gerrard
Godin
Grubel
Guay
Hanger
Harb
Harvard
Hill (Macleod)
Hopkins
Ianno
Jackson
Johnston
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney

Mercier
Mifflin
Mills (Red Deer)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Reed
Richardson
Ringma
Robichaud
Rock
Schmidt
Scott (Skeena)
Sheridan
Simmons
Speller
Steckle
Strahl
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Williams
Zed—179

Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Ramsay
Regan
Rideout
Ringuette-Maltais
Rocheleau
Sauvageau
Scott (Fredericton—York—Sunbury)
Serré
Silye
Speaker
St. Denis
Stewart (Northumberland)
Szabo
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
White (Fraser Valley West/Ouest)
Wood

NAYS

Members

Althouse
de Jong
Riis
Solomon—7

Blaikie
McLaughlin
Robinson

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 1 carried. Consequently, I declare Motions Nos. 30, 50 to 57 included, 60, 63, 82 and 113 also carried.

[*English*]

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you apply the results of the vote just taken on the following items: Motions Nos. 94, 80, 24, 38, 39, 40, 47, 48, 58, 107 and 123.

[*Translation*]

The Deputy Speaker: Is there unanimous consent of the House?

Some hon. members: Agreed.

[*English*]

[*Editor's Note: See list under Division No. 307.*]

The Deputy Speaker: Accordingly, I declare Motions Nos. 94, 80, 24, 38, 39, 40, 47, 48, 58, 107 and 123 carried. By implication Motion No. 41 is also carried.

[*Translation*]

The next question is on Motion No. 2. A vote on this motion also applies to Motion No. 84.

[*English*]

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay with the exception of the member for Thunder Bay—Nipigon under whose name the motion stands.

[*Translation*]

Mr. Laurin: Mr. Speaker, the Bloc Quebecois will vote no on Motion No. 2.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes on Motion No. 2.

Mr. Solomon: Mr. Speaker, New Democratic Party members present will vote no on Motion No. 2.

● (1815)

(The House divided on Motion No. 2, which was negatived on the following division:)

(*Division No. 308*)

YEAS

Members

Ablonczy
Breitkreuz (Yellowhead)
Comuzzi
Duncan
Frazer
Grubel
Hanrahan
Hill (Macleod)
Johnston
Meredith
Ramsay
Schmidt
Silye
Strahl
Williams—29

Benoit
Breitkreuz (Yorkton—Melville)
Cummins
Epp
Grey (Beaver River)
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Martin (Esquimalt—Juan de Fuca)
Mills (Red Deer)
Ringma
Scott (Skeena)
Speaker
White (Fraser Valley West/Ouest)

NAYS

Members

Althouse
Arseneault
Assadourian
Bélair
Bellehumeur
Bertrand
Bevilacqua
Bodnar
Brien

Anderson
Assad
Augustine
Bélisle
Bellemare
Bethel
Blaikie
Bonin
Brown (Oakville—Milton)

Bryden
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Cowling
Crête
Cullen
de Savoye
DeVillers
Dion
Dromisky
Duhamel
Dupuy
Fillion
Fontana
Gagnon (Québec)
Gauthier
Godfrey
Guarnieri
Guimond
Harvard
Hopkins
Ianno
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
McCormick
McLaughlin
McTeague
Mercier
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Regan
Rideout
Ringuette-Maltais
Robinson
Rock
Scott (Fredericton—York—Sunbury)
Sheridan
Solomon
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Zed—157

Caccia
Cannis
Catterall
Chan
Clancy
Collenette
Copps
Crawford
Culbert
de Jong
Debien
Dhaliwal
Discepola
Duceppe
Dumas
Fewchuk
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Gerrard
Godin
Guay
Harb
Hickey
Hubbard
Irwin
Jacob
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Massé
McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Reed
Richardson
Riis
Robichaud
Rocheleau
Sauvageau
Serré
Simmons
Speller
Steckle
Szabo
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
Wood

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 2 defeated.

Mr. Kilger: Mr. Speaker, I that you apply the results of the vote just taken to report stage Motion No. 65, report stage Motion No. 66 and report stage Motion No. 110.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 308.*]

The Deputy Speaker: I declare Motions Nos. 65, 66 and 110 defeated.

The next question is on Motion No. 67. A vote on this motion will also apply to Motions Nos. 69 and 77.

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay with the exception of the hon. member for Thunder Bay—Nipigon.

[*Translation*]

Mr. Laurin: Mr. Speaker, Bloc Quebecois members will vote yes.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes.

Mr. Solomon: Mr. Speaker, New Democrat members present will vote yes on this motion.

(The House divided on Motion No. 67, which was negatived on the following division:)

(*Division No. 309*)

YEAS

Members

Ablonczy
Bélisle
Benoit
Breitkreuz (Yellowhead)
Brien
Chrétien (Frontenac)
Crête
de Jong
Debien
Dumas
Epp
Frazer
Gauthier
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Johnston
Langlois
Leroux (Shefford)

Althouse
Bellehumeur
Blaikie
Breitkreuz (Yorkton—Melville)
Canuel
Comuzzi
Cummins
de Savoye
Duceppe
Duncan
Fillion
Gagnon (Québec)
Godin
Grubel
Guimond
Hanrahan
Hill (Macleod)
Jacob
Landry
Laurin
Marchand

Martin (Esquimalt—Juan de Fuca)
Mercier
Mills (Red Deer)
Picard (Drummond)
Ramsay
Ringma
Rocheleau
Schmidt
Silye
Speaker
Tremblay (Lac-Saint-Jean)
Venne
Williams—67

McLaughlin
Meredith
Nunez
Pomerleau
Riis
Robinson
Sauvageau
Scott (Skeena)
Solomon
Strahl
Tremblay (Rimouski—Témiscouata)
White (Fraser Valley West/Ouest)

NAYS

Members

Anderson
Assad
Augustine
Bellemare
Bethel
Bodnar
Brown (Oakville—Milton)
Caccia
Cannis
Chamberlain
Clancy
Collenette
Copps
Crawford
Cullen
Dhaliwal
Discepola
Duhamel
Fewchuk
Fontana
Gallaway
Godfrey
Harb
Hickey
Hubbard
Irwin
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Marchi
Massé
McKinnon
McTeague
Mifflin
Minna
Murphy
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Regan
Rideout
Robichaud
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Szabo
Terrana
Ur
Verran
Walker
Whelan
Zed—119

Arseneault
Assadourian
Bélair
Bertrand
Bevilacqua
Bonin
Bryden
Calder
Catterall
Chan
Cohen
Collins
Cowling
Culbert
DeVillers
Dion
Dromisky
Dupuy
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Guarnieri
Harvard
Hopkins
Ianno
Jackson
Keyes
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
Malhi
Marleau
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Reed
Richardson
Ringuette-Maltais
Rock
Serré
Simmons
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Vanclief
Volpe
Wappel
Wood

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 67 defeated, as well as Motions Nos. 69 and 77.

[*Translation*]

Mr. Kilger: Mr. Speaker, I think you will find unanimous consent to apply the results of the vote just taken on Motion No. 18.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 309.*]

[*English*]

The Deputy Speaker: Therefore I declare Motion No. 18 defeated.

The next question is on Motion No. 68.

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay with the exception of the member for Thunder Bay—Nipigon.

[*Translation*]

Mr. Laurin: Mr. Speaker, Bloc Quebecois members will vote yes.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes.

Mr. Solomon: Mr. Speaker, members of the NDP present will vote no on this motion.

(The House divided on Motion No. 68, which was negatived on the following division:)

(*Division No. 310*)

YEAS

Members

Ablonczy
Bellehumeur
Breitkreuz (Yellowhead)
Brien
Chrétien (Frontenac)
Crête
de Savoye
Duceppe
Duncan
Fillion
Gagnon (Québec)
Godin
Grubel
Guimond
Hanrahan
Hill (Macleod)
Jacob

Bélisle
Benoit
Breitkreuz (Yorkton—Melville)
Canuel
Comuzzi
Cummins
Debien
Dumas
Epp
Frazer
Gauthier
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Johnston

Landry
Laurin
Marchand
Mercier
Mills (Red Deer)
Picard (Drummond)
Ramsay
Rocheleau
Schmidt
Silye
Strahl
Tremblay (Rimouski—Témiscouata)
White (Fraser Valley West/Ouest)
Langlois
Leroux (Shefford)
Martin (Esquimalt—Juan de Fuca)
Meredith
Nunez
Pomerleau
Ringma
Sauvageau
Scott (Skeena)
Speaker
Tremblay (Lac-Saint-Jean)
Venne
Williams—60

NAYS

Members

Althouse
Arseneault
Assadourian
Bélair
Bertrand
Bevilacqua
Bodnar
Brown (Oakville—Milton)
Caccia
Cannis
Chamberlain
Clancy
Collenette
Copps
Crawford
Cullen
DeVillers
Dion
Dromisky
Dupuy
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Guarnieri
Harvard
Hopkins
Ianno
Jackson
Keyes
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
Malhi
Marleau
McCormick
McLaughlin
McTeague
Mifflin
Minna
Murphy
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Regan
Rideout
Ringuette-Maltais
Robinson
Scott (Fredericton—York—Sunbury)
Sheridan
Solomon
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Vanclief
Volpe
Wappel
Wood
Anderson
Assad
Augustine
Bellemare
Bethel
Blaikie
Bonin
Bryden
Calder
Catterall
Chan
Cohen
Collins
Cowling
Culbert
de Jong
Dhaliwal
Discepola
Duhamel
Fewchuk
Fontana
Gallaway
Godfrey
Harb
Hickey
Hubbard
Irwin
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Marchi
Massé
McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Reed
Richardson
Riis
Robichaud
Rock
Serré
Simmons
Speller
Steckle
Szabo
Terrana
Ur
Verran
Walker
Whelan
Zed—126

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 68 defeated.

The next question is on Motion No. 70. A vote on Motion No. 70 will apply to Motions Nos. 71 to 75 and Motions Nos. 78, 79, 81, 83, 85, 93 and 96.

● (1820)

An affirmative vote on Motion No. 70 obviates the necessity of putting the question on Motion No. 94. A negative vote on Motion No. 70 necessitates the question being put on Motion No. 94.

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay with the exception of the member for Thunder Bay—Nipigon.

[*Translation*]

Mr. Laurin: Mr. Speaker, Bloc Quebecois members will vote no, with the exception of the member for Roberval.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes.

Mr. Solomon: Mr. Speaker, NDP members will vote yes on this motion.

[*Translation*]

(The House divided on Motion No. 70, which was negatived on the following division:)

(*Division No. 311*)

YEAS

Members

Ablonczy
Benoit
Breitkreuz (Yellowhead)
Comuzzi
de Jong
Epp
Grey (Beaver River)
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Martin (Esquimalt—Juan de Fuca)
Meredith
Ramsay
Ringma
Schmidt
Silye
Speaker
White (Fraser Valley West/Ouest)
Althouse
Blaikie
Breitkreuz (Yorkton—Melville)
Cummins
Duncan
Frazer
Grubel
Hanrahan
Hill (Macleod)
Johnston
McLaughlin
Mills (Red Deer)
Riis
Robinson
Scott (Skeena)
Solomon
Strahl
Williams—36

NAYS

Members

Anderson
Assad
Augustine
Bélisle
Bellemare
Bethel
Bodnar
Brien
Bryden
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Cowling
Crête
Cullen
Debien
Dhaliwal
Discepola
Duceppe
Dumas
Fewchuk
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Godfrey
Guarnieri
Guimond
Harvard
Hopkins
Ianno
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Reed
Richardson
Ringuette-Maltais
Rocheleau
Sauvageau
Serré
Simmons
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Zed—149

Arseneault
Assadourian
Bélair
Bellehumeur
Bertrand
Bevilacqua
Bonin
Brown (Oakville—Milton)
Caccia
Cannis
Catterall
Chan
Clancy
Collenette
Copps
Crawford
Culbert
de Savoye
DeVillers
Dion
Dromisky
Duhamel
Dupuy
Fillion
Fontana
Gagnon (Québec)
Gerrard
Godin
Guay
Harb
Hickey
Hubbard
Irwin
Jacob
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Massé
McKinnon
McTeague
Mercier
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Regan
Rideout
Robichaud
Rock
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Szabo
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
Wood

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare the motion lost. Accordingly, Motions Nos. 71 to 75, 78, 79, 81, 83, 85, and 93 to 96 are also lost.

The next question is on Motion No. 76. A vote on this motion also applies to Motions Nos. 86 to 92.

[*English*]

Mr. Kilger: Mr. Speaker, I propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay with the exception of the member for Thunder Bay—Nipigon.

[*Translation*]

Mr. Laurin: Mr. Speaker, Bloc Quebecois members will vote no.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no. I am just wondering if the chief government whip would like to apply some of the votes on Motion 70. We have a bunch we can apply on that.

Mr. Solomon: Mr. Speaker, New Democratic Party members of Parliament will vote no on this motion.

Mr. Kilger: Mr. Speaker, I wonder if I should wait until we have the result of this vote and then I will come back.

(The House divided on Motion No. 76, which was negatived on the following division:)

(*Division No. 312*)

YEAS

Members

Comuzzi—1

NAYS

Members

Ablonczy
Anderson
Assad
Augustine
Bélisle
Bellemare
Bertrand
Bevilacqua
Bodnar
Breitkreuz (Yellowhead)
Brien
Bryden
Calder
Canuel

Althouse
Arseneault
Assadourian
Bélair
Bellehumeur
Benoit
Bethel
Blaikie
Bonin
Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton)
Caccia
Cannis
Catterall

Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Cowling
Crête
Cullen
de Jong
Debien
Dhaliwal
Discepola
Duceppe
Dumas
Dupuy
Fewchuk
Flis
Frazer
Gagnon (Québec)
Gerrard
Godin
Grubel
Guay
Hanger
Harb
Harvard
Hill (Macleod)
Hopkins
Ianno
Jackson
Johnston
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McLaughlin
McTeague
Mercier
Mifflin
Mills (Red Deer)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Reed
Richardson
Riis
Ringuette-Maltais
Robinson
Rock
Schmidt
Scott (Skeena)
Sheridan
Simmons
Speaker
St. Denis
Stewart (Northumberland)
Szabo
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
White (Fraser Valley West/Ouest)
Wood

Chan
Clancy
Collenette
Copps
Crawford
Culbert
Cummins
de Savoye
DeVillers
Dion
Dromisky
Duhamel
Duncan
Epp
Fillion
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Godfrey
Grey (Beaver River)
Guarnieri
Guimond
Hanrahan
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hubbard
Irwin
Jacob
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
Massé
McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Ramsay
Regan
Rideout
Ringma
Robichaud
Rocheleau
Sauvageau
Scott (Fredericton—York—Sunbury)
Serré
Silye
Solomon
Speller
Steckle
Strahl
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Williams
Zed—184

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 76 lost. I therefore declare Motions Nos. 86 to 92 also lost.

Mr. Kilger: Mr. Speaker, I propose that you apply the results of the vote just taken to Motions Nos. 95, 4, 9, 8 and 11.

● (1825)

The Deputy Speaker: Is there agreement to apply those motions?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 312.*]

The Deputy Speaker: The next question is on Motion No. 20.

Mr. Kilger: Mr. Speaker, we would have an affirmative vote on Motion No. 20 by the hon. member for Hamilton—Wentworth.

(The House divided on Motion No. 20, which was negatived on the following division:)

(*Division No. 322*)

YEAS

Members

Bryden
Comuzzi—2

NAYS

Members

Ablonczy
Anderson
Assad
Augustine
Bélisle
Bellemare
Bertrand
Bevilacqua
Bodnar
Breitkreuz (Yellowhead)
Brien
Caccia
Cannis
Catterall
Chan
Clancy
Collenette
Copps
Crawford
Culbert
Cummins
de Savoye
DeVillers
Dion
Dromisky
Duhamel
Duncan
Epp

Althouse
Arseneault
Assadourian
Bélair
Bellehumeur
Benoit
Bethel
Blaikie
Bonin
Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton)
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Cowling
Crête
Cullen
de Jong
Debien
Dhaliwal
Discepola
Duceppe
Dumas
Dupuy
Fewchuk

Fillion
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Godfrey
Grey (Beaver River)
Guarnieri
Guimond
Hanrahan
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hubbard
Irwin
Jacob
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
Massé
McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Ramsay
Regan
Rideout
Ringma
Robichaud
Rocheleau
Sauvageau
Scott (Fredericton—York—Sunbury)
Serré
Silye
Solomon
Speller
Steckle
Strahl
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Williams
Zed—183

Flis
Frazer
Gagnon (Québec)
Gerrard
Godin
Grubel
Guay
Hanger
Harb
Harvard
Hill (Macleod)
Hopkins
Ianno
Jackson
Johnston
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McLaughlin
McTeague
Mercier
Mifflin
Mills (Red Deer)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Reed
Richardson
Riis
Ringuette-Maltais
Robinson
Rock
Schmidt
Scott (Skeena)
Sheridan
Simmons
Speaker
St. Denis
Stewart (Northumberland)
Szabo
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
White (Fraser Valley West/Ouest)
Wood

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré

Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

Mr. Kilger: Mr. Speaker, with the consent of the House I would like to return to the result of Motion No. 70 and that we apply the vote of Motion No. 70 to Motions Nos. 99, 100, 104, 105, 106 and 109.

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 311.*]

[*Translation*]

The Deputy Speaker: Accordingly, Motions Nos. 10, 12, 13, 14, 16, 17 and 31 are also lost. Motions Nos. 99, 100, 104, 105, 106 and 109 are lost, and the same vote applies to Motions Nos. 101 and 108.

[*English*]

The next question is on Motion No. 102. A vote on this motion also applies to Motion No. 115.

Mr. Kilger: Mr. Speaker, I would like to alert the House of the absence from this vote and possibly for the rest of the votes the member for St-Laurent—Cartierville.

[*Translation*]

You will see that the House would give its consent that members who voted on the previous motion, with the exception of the member whom I just mentioned, be recorded as having voted on the motion now before the House, with Liberal members being recorded as voting yes.

Mr. Laurin: Mr. Speaker, Bloc members will vote no.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present vote yes on this motion.

Mr. Solomon: Mr. Speaker, NDP members vote yes on this motion.

[*Translation*]

(The House divided on Motion No. 102, which was agreed to on the following division:)

(*Division No. 313*)

YEAS

Members

Ablonczy
Anderson
Assad
Augustine
Bellemare
Bertrand
Bevilacqua
Bodnar
Breitkreuz (Yellowhead)
Brown (Oakville—Milton)

Althouse
Arseneault
Assadourian
Bélair
Benoit
Bethel
Blaikie
Bonin
Breitkreuz (Yorkton—Melville)
Bryden

Caccia
Cannis
Chamberlain
Clancy
Collenette
Comuzzi
Cowling
Culbert
Cummins
DeVillers
Discepola
Duhamel
Dupuy
Fewchuk
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Grey (Beaver River)
Guarnieri
Hanrahan
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hubbard
Irwin
Johnston
Keyes
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
Malhi
Marleau
Massé
McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Mills (Red Deer)
Mitchell
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Ramsay
Regan
Rideout
Ringma
Robichaud
Rock
Scott (Fredericton—York—Sunbury)
Serré
Silye
Solomon
Speller
Steckle
Strahl
Telegdi
Torsney
Vanclief
Volpe
Wappel
White (Fraser Valley West/Ouest)
Wood
Calder
Catterall
Chan
Cohen
Collins
Copps
Crawford
Cullen
de Jong
Dhaliwal
Dromisky
Duncan
Epp
Flis
Frazer
Gallaway
Godfrey
Grubel
Hanger
Harb
Harvard
Hill (Macleod)
Hopkins
Ianno
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McLaughlin
McTeague
Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Reed
Richardson
Riis
Ringuette-Maltais
Robinson
Schmidt
Scott (Skeena)
Sheridan
Simmons
Speaker
St. Denis
Stewart (Northumberland)
Szabo
Terrana
Ur
Verran
Walker
Whelan
Williams
Zed—154

NAYS

Members

Bélisle
Brien
Chrétien (Frontenac)
de Savoye
Duceppe
Fillion
Godin
Guimond
Landry
Laurin
Marchand
Nunez
Pomerleau
Sauvageau
Tremblay (Rimouski—Témiscouata)
Bellehumeur
Canuel
Crête
Debien
Dumas
Gagnon (Québec)
Guay
Jacob
Langlois
Leroux (Shefford)
Mercier
Picard (Drummond)
Rocheleau
Tremblay (Lac-Saint-Jean)
Venne—30

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 102 carried. I therefore declare Motion No. 115 also carried.

Mr. Kilger: Mr. Speaker, I think there is unanimous consent that you apply the results of the vote just taken to the following motions: Motions Nos. 36 and 59.

● (1830)

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 313.*]

The Deputy Speaker: I therefore declare Motions Nos. 36 and 59 carried.

The next question is on Motion No. 3.

[*English*]

Mr. Kilger: Mr. Speaker, if the House would agree, I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

[*Translation*]

Mr. Laurin: Bloc members will vote yes, Mr. Speaker.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes on this motion.

Mr. Solomon: Mr. Speaker, NDP members in the House of Commons will make it unanimous. We will vote yes too.

[*Translation*]

(The House divided on Motion No. 3, which was agreed to on the following division:)

(*Division No. 314*)

YEAS

Members

Ablonczy
Anderson
Assad
Augustine
Bélisle
Bellemare
Bertrand
Bevilacqua
Bodnar
Breitkreuz (Yellowhead)
Brien
Bryden
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Althouse
Arseneault
Assadourian
Bélair
Bellehumeur
Benoit
Bethel
Blaikie
Bonin
Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton)
Caccia
Cannis
Catterall
Chan
Clancy

Cohen	Collenette
Collins	Comuzzi
Copps	Cowling
Crawford	Crête
Culbert	Cullen
Cummins	de Jong
de Savoye	Debien
DeVillers	Dhaliwal
Discepola	Dromisky
Duceppe	Duhamel
Dumas	Duncan
Dupuy	Epp
Fewchuk	Fillion
Flis	Fontana
Frazer	Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gagnon (Québec)	Gallaway
Gerrard	Godfrey
Godin	Grey (Beaver River)
Grubel	Guarnieri
Guay	Guimond
Hanger	Hanrahan
Harb	Harper (Simcoe Centre)
Harvard	Hickey
Hill (Macleod)	Hill (Prince George—Peace River)
Hopkins	Hubbard
Ianno	Irwin
Jackson	Jacob
Johnston	Karygiannis
Keyes	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Landry
Langlois	Lastewka
Laurin	Lavigne (Verdun—Saint-Paul)
Lee	Leroux (Shefford)
Lincoln	Loney
Malhi	Marchand
Marchi	Marleau
Martin (Esquimalt—Juan de Fuca)	Massé
McCormick	McKinnon
McLaughlin	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Mercier	Meredith
Mifflin	Mills (Broadview—Greenwood)
Mills (Red Deer)	Minna
Mitchell	Murphy
Nault	Nunez
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Peric	Peterson
Pettigrew	Phinney
Picard (Drummond)	Pickard (Essex—Kent)
Pillitteri	Pomerleau
Proud	Ramsay
Reed	Regan
Richardson	Rideout
Riis	Ringma
Ringuette-Maltais	Robichaud
Robinson	Rocheleau
Rock	Sauvageau
Schmidt	Scott (Fredericton—York—Sunbury)
Scott (Skeena)	Serré
Sheridan	Silye
Simmons	Solomon
Speaker	Speller
St. Denis	Steckle
Stewart (Northumberland)	Strahl
Szabo	Telegdi
Terrana	Torsney
Tremblay (Lac-Saint-Jean)	Tremblay (Rimouski—Témiscouata)
Ur	Vanclief
Venne	Verran
Volpe	Walker
Wappel	Whelan
White (Fraser Valley West/Ouest)	Williams
Wood	Zed—184

NAYS

Members

Nil/aucun

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Deputy Speaker: I declare Motion No. 3 carried.

[*English*]

Mr. Kilger: Mr. Speaker, if the House would agree, I would propose that you apply the result of the vote just taken to the following motions: report stage Motions Nos. 112, 64, 111 and 103.

[*Translation*]

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 314.*]

The Deputy Speaker: I declare Motions Nos. 112, 64, 111 and 103 carried. Therefore, Motions Nos. 114, 117, 125, 97 and 98 are carried as well.

The next question is on Motion No. 5.

Mr. Kilger: Mr. Speaker, you will see that there is unanimous consent that members who voted on the previous question be recorded as having voted on the motion now before the House with the Liberal members voting yea.

Mr. Laurin: Mr. Speaker, Bloc Quebecois members will vote yes on this motion.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no on this motion.

Mr. Solomon: Mr. Speaker, NDP members of Parliament will vote yes on this motion.

[*Translation*]

(The House divided on Motion No. 5, which was agreed to on the following division:)

(*Division No. 315*)

YEAS

Members

Althouse	Anderson
Arseneault	Assad
Assadourian	Augustine
Bélair	Bélisle
Bellehumeur	Bellemare
Bertrand	Bethel

Bevilacqua
Bodnar
Brien
Bryden
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Copps
Crawford
Culbert
de Jong
Debien
Dhaliwal
Dromisky
Duhamel
Dupuy
Fillion
Fontana
Gagnon (Québec)
Gerrard
Godin
Guay
Harb
Hickey
Hubbard
Irwin
Jacob
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Massé
McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Reed
Richardson
Riis
Robichaud
Rocheleau
Sauvageau
Serré
Simmons
Speller
Steckle
Szabo
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
Wood
Blaikie
Bonin
Brown (Oakville—Milton)
Caccia
Cannis
Catterall
Chan
Clancy
Collenette
Comuzzi
Cowling
Crête
Cullen
de Savoye
DeVillers
Discepola
Duceppe
Dumas
Fewchuk
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Godfrey
Guarnieri
Guimond
Harvard
Hopkins
Ianno
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
McCormick
McLaughlin
McTeague
Mercier
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Regan
Rideout
Ringuette-Maltais
Robinson
Rock
Scott (Fredericton—York—Sunbury)
Sheridan
Solomon
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Zed—156

NAYS

Members

Ablonczy
Breitkreuz (Yellowhead)
Cummins
Epp
Benoit
Breitkreuz (Yorkton—Melville)
Duncan
Frazer
Grey (Beaver River)
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Martin (Esquimalt—Juan de Fuca)
Mills (Red Deer)
Ringma
Scott (Skeena)
Speaker
White (Fraser Valley West/Ouest)
Grubel
Hanrahan
Hill (Macleod)
Johnston
Meredith
Ramsay
Schmidt
Silye
Strahl
Williams—28

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 5 carried.

The next question is on Motion No. 6.

[*English*]

Mr. Kilger: Mr. Speaker, if the House would agree, I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay with the exception of the member for Thunder Bay—Nipigon.

[*Translation*]

Mr. Laurin: No, Mr. Speaker.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no on this motion.

Mr. Solomon: Mr. Speaker, NDP members in the House this evening will vote yes on this motion.

● (1835)

(The House divided on Motion No. 6, which was negatived on division:)

(*Division No. 316*)

YEAS

Members

Althouse
Comuzzi
McLaughlin
Robinson
Blaikie
de Jong
Riis
Solomon—8

NAYS

Members

Ablonczy
Arseneault
Assadourian
Anderson
Assad
Augustine

Bélair
Bellehumeur
Benoit
Bethel
Bodnar
Breitkreuz (Yellowhead)
Brien
Bryden
Calder
Canuel
Chamberlain
Chrétien (Frontenac)
Cohen
Collins
Cowling
Crête
Cullen
de Savoye
DeVillers
Discepola
Duceppe
Dumas
Dupuy
Fewchuk
Flis
Frazer
Gagnon (Québec)
Gerrard
Godin
Grubel
Guay
Hanger
Harb
Harvard
Hill (Macleod)
Hopkins
Ianno
Jackson
Johnston
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Ramsay
Regan
Rideout
Ringuette-Maltais
Rocheleau
Sauvageau
Scott (Fredericton—York—Sunbury)
Serré
Silye
Speaker
St. Denis
Stewart (Northumberland)
Szabo
Bélisle
Bellemare
Bertrand
Bevilacqua
Bonin
Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton)
Caccia
Cannis
Catterall
Chan
Clancy
Collenette
Copps
Crawford
Culbert
Cummins
Debien
Dhaliwal
Dromisky
Duhamel
Duncan
Epp
Fillion
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Godfrey
Grey (Beaver River)
Guarnieri
Guimond
Hanrahan
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hubbard
Irwin
Jacob
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
Massé
McKinnon
McTeague
Mercier
Mifflin
Mills (Red Deer)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Reed
Richardson
Ringma
Robichaud
Rock
Schmidt
Scott (Skeena)
Sheridan
Simmons
Speller
Steckle
Strahl
Telegdi
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
White (Fraser Valley West/Ouest)
Wood
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Williams
Zed—176

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 6 lost.

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you apply the results of the vote just taken to the following items: report stage Motions Nos. 21 and 34.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 316.*]

The Deputy Speaker: Therefore Motions Nos. 21 and 34 are lost.

The next question is on Motion No. 7.

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with all Liberal members present voting yes.

[*Translation*]

Mr. Laurin: Mr. Speaker, members of the Bloc Quebecois will vote no.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members will vote no on this one.

Mr. Solomon: Mr. Speaker, NDP members present will vote yes on this motion.

(The House divided on Motion No. 7, which was agreed to on the following division:)

(*Division No. 317*)

YEAS

Members

Althouse
Arseneault
Assadourian
Bélair
Bertrand
Bevilacqua
Bodnar
Brown (Oakville—Milton)
Caccia
Cannis
Chamberlain
Clancy
Anderson
Assad
Augustine
Bellemare
Bethel
Blaikie
Bonin
Bryden
Calder
Catterall
Chan
Cohen

Collenette
Comuzzi
Cowling
Culbert
de Jong
Dhaliwal
Dromisky
Dupuy
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Guarnieri
Harvard
Hopkins
Ianno
Jackson
Keyes
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
Malhi
Marleau
McCormick
McLaughlin
McTeague
Mifflin
Minna
Murphy
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Regan
Rideout
Ringuette-Maltais
Robinson
Scott (Fredericton—York—Sunbury)
Sheridan
Solomon
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Vanclief
Volpe
Wappel
Wood
Collins
Copps
Crawford
Cullen
DeVillers
Discepola
Duhamel
Fewchuk
Fontana
Gallaway
Godfrey
Harb
Hickey
Hubbard
Irwin
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Marchi
Massé
McKinnon
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Reed
Richardson
Riis
Robichaud
Rock
Serré
Simmons
Speller
Steckle
Szabo
Terrana
Ur
Verran
Walker
Whelan
Zed—126

NAYS

Members

Ablonczy
Bellehumeur
Breitkreuz (Yellowhead)
Brien
Chrétien (Frontenac)
Cummins
Debien
Dumas
Epp
Frazer
Godin
Grubel
Guimond
Hanrahan
Hill (Macleod)
Jacob
Landry
Laurin
Marchand
Mercier
Mills (Red Deer)
Picard (Drummond)
Bélisle
Benoit
Breitkreuz (Yorkton—Melville)
Canuel
Crête
de Savoye
Duceppe
Duncan
Fillion
Gagnon (Québec)
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Johnston
Langlois
Leroux (Shefford)
Martin (Esquimalt—Juan de Fuca)
Meredith
Nunez
Pomerleau
Ramsay
Rocheleau
Schmidt
Silye
Strahl
Tremblay (Rimouski—Témiscouata)
White (Fraser Valley West/Ouest)
Ringma
Sauvageau
Scott (Skeena)
Speaker
Tremblay (Lac-Saint-Jean)
Venne
Williams—58

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 7 agreed to.

The next question is on Motion No. 15.

Mr. Kilger: Mr. Speaker, I would like to begin by drawing attention of the House to striking the name of the member for Ottawa West from this votes and others.

If the House would agree I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yes.

[*Translation*]

Mr. Laurin: Mr. Speaker, members of the Bloc Quebecois will vote no.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote yes on this motion.

Mr. Solomon: Mr. Speaker, NDP members of Parliament vote no on this motion.

(The House divided Motion No. 15, which was agreed to on the following division:)

(*Division No. 318*)

YEAS

Members

Ablonczy
Arseneault
Assadourian
Bélair
Benoit
Bethel
Bodnar
Breitkreuz (Yellowhead)
Brown (Oakville—Milton)
Caccia
Cannis
Chan
Cohen
Collins
Copps
Crawford
Cullen
DeVillers
Discepola
Duhamel
Dupuy
Fewchuk
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Anderson
Assad
Augustine
Bellemare
Bertrand
Bevilacqua
Bonin
Breitkreuz (Yorkton—Melville)
Bryden
Calder
Chamberlain
Clancy
Collenette
Comuzzi
Cowling
Culbert
Cummins
Dhaliwal
Dromisky
Duncan
Epp
Flis
Frazer
Gallaway

Gerrard
Grey (Beaver River)
Guarnieri
Hanrahan
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hubbard
Irwin
Johnston
Keyes
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
Malhi
Marleau
Massé
McKinnon
McTeague
Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Reed
Richardson
Ringma
Robichaud
Schmidt
Scott (Skeena)
Sheridan
Simmons
Speller
Steckle
Strahl
Telegdi
Torsney
Vanclief
Volpe
Wappel
White (Fraser Valley West/Ouest)
Wood
Godfrey
Grubel
Hanger
Harb
Harvard
Hill (Macleod)
Hopkins
Ianno
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Mills (Red Deer)
Mitchell
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Ramsay
Regan
Rideout
Ringuette-Maltais
Rock
Scott (Fredericton—York—Sunbury)
Serré
Silye
Speaker
St. Denis
Stewart (Northumberland)
Szabo
Terrana
Ur
Verran
Walker
Whelan
Williams
Zed—146

NAYS

Members

Althouse
Bellehumeur
Brien
Chrétien (Frontenac)
de Jong
Debien
Dumas
Gagnon (Québec)
Guay
Jacob
Langlois
Leroux (Shefford)
McLaughlin
Nunez
Pomerleau
Robinson
Sauvageau
Tremblay (Lac-Saint-Jean)
Venne—37
Bélisle
Blaikie
Canuel
Crête
de Savoye
Duceppe
Fillion
Godin
Guimond
Landry
Laurin
Marchand
Mercier
Picard (Drummond)
Riis
Rocheleau
Solomon
Tremblay (Rimouski—Témiscouata)

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 15 agreed to.

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you apply the results of the vote just taken to the following items: report stage Motions Nos. 25, 42, 49 and 124.

The Deputy Speaker: Is there unanimous consent of the House?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 318.*]

The Deputy Speaker: Motions Nos. 25, 42, 49 and 124 are therefore agreed to.

The next question is on Motion No. 26.

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay with the exception of the member for Thunder Bay—Nipigon.

[*Translation*]

Mr. Laurin: Mr. Speaker, members of the Bloc Quebecois will vote yes.

[*English*]

Mr. Strahl: Mr. Speaker, on Motion No. 26 Reform Party members present will vote no.

Mr. Solomon: Mr. Speaker, NDP members of Parliament will vote no on this motion.

• (1840)

[*Translation*]

(The House divided on Motion No. 26, which was negatived on the following division:)

(*Division No. 319*)

YEAS

Members

Bélisle
Brien
Chrétien (Frontenac)
Crête
Debien
Dumas
Gagnon (Québec)
Guay
Jacob
Langlois
Leroux (Shefford)
Mercier
Picard (Drummond)
Rocheleau
Bellehumeur
Canuel
Comuzzi
de Savoye
Duceppe
Fillion
Godin
Guimond
Landry
Laurin
Marchand
Nunez
Pomerleau
Sauvageau

Tremblay (Lac-Saint-Jean) Tremblay (Rimouski—Témiscouata)
Venne—31

NAYS

Members

Ablonczy Althouse
Anderson Arseneault
Assad Assadourian
Augustine Bélair
Bellemare Benoit
Bertrand Bethel
Bevilacqua Blaikie
Bodnar Bonin
Breitkreuz (Yellowhead) Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton) Bryden
Caccia Calder
Cannis Chamberlain
Chan Clancy
Cohen Collenette
Collins Copps
Cowling Crawford
Culbert Cullen
Cummins de Jong
DeVillers Dhaliwal
Discepola Dromisky
Duhamel Duncan
Dupuy Epp
Fewchuk Flis
Fontana Frazer
Gagnon (Bonaventure—Îles-de-la-Madeleine) Gallaway
Gerrard Godfrey
Grey (Beaver River) Grubel
Guarnieri Hanger
Hanrahan Harb
Harper (Simcoe Centre) Harvard
Hickey Hill (Macleod)
Hill (Prince George—Peace River) Hopkins
Hubbard Ianno
Irwin Jackson
Johnston Karygiannis
Keyes Kilger (Stormont—Dundas)
Kirkby Knutson
Kraft Sloan Lastewka
Lavigne (Verdun—Saint-Paul) Lee
Lincoln Loney
Malhi Marchi
Marleau Martin (Esquimalt—Juan de Fuca)
Massé McCormick
McKinnon McLaughlin
McLellan (Edmonton Northwest/Nord-Ouest) McTeague
McWhinney Meredith
Mifflin Mills (Broadview—Greenwood)
Mills (Red Deer) Minna
Mitchell Murphy
Nault O'Brien (London—Middlesex)
O'Reilly Pagtakhan
Paradis Parrish
Patry Peric
Peterson Pettigrew
Phinney Pickard (Essex—Kent)
Pillitteri Proud
Ramsay Reed
Regan Richardson
Rideout Riis
Ringma Ringuette-Maltais
Robichaud Robinson
Rock Schmidt
Scott (Fredericton—York—Sunbury) Scott (Skeena)
Serré Sheridan
Silye Simmons
Solomon Speaker
Speller St. Denis
Steckle Stewart (Northumberland)
Strahl Szabo
Telegdi Terrana
Torsney Ur
Vanclief Verran
Volpe Walker
Wappel Whelan
White (Fraser Valley West/Ouest) Williams
Wood Zed—152

PAIRED MEMBERS

Adams Asselin
Bakopanos Barnes
Bergeron Bertrand
Clancy Dalphond-Guiral
Daviault Dubé
Graham Lefebvre
Paré Richardson

The Deputy Speaker: I declare Motion No. 26 lost. Consequently, Motions Nos. 27, 29 and 118 to 122 are also lost.

Mr. Kilger: Mr. Speaker, I believe you will find unanimous consent to apply to Motions Nos. 23, 45, 61, and 62 the results of the vote just taken.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 319.*]

[*English*]

The Deputy Speaker: I declare Motions Nos. 23, 45, 61 and 62 lost.

The next question is on Motion No. 28.

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea with the exception of the member for Hamilton—Wentworth.

[*Translation*]

Mr. Laurin: Mr. Speaker, members of the Bloc will vote no.

[*English*]

Mr. Strahl: Mr. Speaker, the Reform Party members present will vote no on this motion.

Mr. Solomon: Mr. Speaker, NDP members present vote no on this motion.

Mr. Comuzzi: Mr. Speaker, I rise on a point of order. I would like to join my colleague from Hamilton—Wentworth on the vote he just cast.

[*Translation*]

(The House divided Motion No. 28, which was agreed to on the following division:)

(*Division No. 320*)

YEAS

Members

Anderson Arseneault
Assad Assadourian
Augustine Bélair
Bellemare Bertrand
Bethel Bevilacqua
Bodnar Bonin
Brown (Oakville—Milton) Caccia
Calder Cannis
Chamberlain Chan
Clancy Cohen

Collenette
Copps
Crawford
Cullen
Dhaliwal
Dromisky
Dupuy
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Guarnieri
Harvard
Hopkins
Ianno
Jackson
Keyes
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
Malhi
Marleau
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Reed
Richardson
Ringuette-Maltais
Rock
Serré
Simmons
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Vanclief
Volpe
Wappel
Wood
Collins
Cowling
Culbert
DeVillers
Discepola
Duhamel
Fewchuk
Fontana
Gallaway
Godfrey
Harb
Hickey
Hubbard
Irwin
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Marchi
Massé
McKinnon
McTeague
Mifflin
Minna
Murphy
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Regan
Rideout
Robichaud
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Szabo
Terrana
Ur
Verran
Walker
Whelan
Zed—116

NAYS

Members

Ablonczy
Bélisle
Benoit
Breitkreuz (Yellowhead)
Brien
Canuel
Comuzzi
Cummins
de Savoye
Duceppe
Duncan
Fillion
Gagnon (Québec)
Grey (Beaver River)
Guay
Hanger
Harper (Simcoe Centre)
Hill (Prince George—Peace River)
Johnston
Langlois
Leroux (Shefford)
Martin (Esquimalt—Juan de Fuca)
Mercier
Mills (Red Deer)
Picard (Drummond)
Althouse
Bellehumeur
Blaikie
Breitkreuz (Yorkton—Melville)
Bryden
Chrétien (Frontenac)
Crête
de Jong
Debien
Dumas
Epp
Frazer
Godin
Grubel
Guimond
Hanrahan
Hill (Macleod)
Jacob
Landry
Laurin
Marchand
McLaughlin
Meredith
Nunez
Pomerleau
Ramsay
Ringma
Rocheleau
Schmidt
Silye
Speaker
Tremblay (Lac-Saint-Jean)
Venne
Williams—67
Riis
Robinson
Sauvageau
Scott (Skeena)
Solomon
Strahl
Tremblay (Rimouski—Témiscouata)
White (Fraser Valley West/Ouest)

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare Motion No. 28 carried.

Mr. Kilger: Mr. Speaker, if you were to seek it, the House would give its consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members being recorded as voting no.

Mr. Laurin: Mr. Speaker, we consent, and members of the Bloc will be voting yes.

[*English*]

Mr. Strahl: Mr. Speaker, the Reform Party members present will vote on this motion.

Mr. Solomon: Mr. Speaker, NDP members will vote yes on this motion.

[*Translation*]

(The House divided on Motion No. 19, which was negatived on the following division:)

(*Division No. 321*)

YEAS

Members

Althouse
Bellehumeur
Brien
Chrétien (Frontenac)
de Jong
Debien
Dumas
Gagnon (Québec)
Guay
Jacob
Langlois
Leroux (Shefford)
McLaughlin
Nunez
Pomerleau
Robinson
Sauvageau
Tremblay (Lac-Saint-Jean)
Venne—37
Bélisle
Blaikie
Canuel
Crête
de Savoye
Duceppe
Fillion
Godin
Guimond
Landry
Laurin
Marchand
Mercier
Picard (Drummond)
Riis
Rocheleau
Solomon
Tremblay (Rimouski—Témiscouata)

NAYS

Members

Ablonczy	Anderson
Arseneault	Assad
Assadourian	Augustine
Bélair	Bellemare
Benoit	Bertrand
Bethel	Bevilacqua
Bodnar	Bonin
Breitkreuz (Yellowhead)	Breitkreuz (Yorkton—Melville)
Brown (Oakville—Milton)	Bryden
Caccia	Calder
Cannis	Chamberlain
Chan	Clancy
Cohen	Collenette
Collins	Comuzzi
Copps	Cowling
Crawford	Culbert
Cullen	Cummins
DeVillers	Dhaliwal
Discepola	Dromisky
Duhamel	Duncan
Dupuy	Epp
Fewchuk	Flis
Fontana	Frazer
Gagnon (Bonaventure—Îles-de-la-Madeleine)	Gallaway
Gerrard	Godfrey
Grey (Beaver River)	Grubel
Guarnieri	Hanger
Hanrahan	Harb
Harper (Simcoe Centre)	Harvard
Hickey	Hill (Macleod)
Hill (Prince George—Peace River)	Hopkins
Hubbard	Ianno
Irwin	Jackson
Johnston	Karygiannis
Keyes	Kilger (Stormont—Dundas)
Kirkby	Knutson
Kraft Sloan	Lastewka
Lavigne (Verdun—Saint-Paul)	Lee
Lincoln	Loney
Malhi	Marchi
Marleau	Martin (Esquimalt—Juan de Fuca)
Massé	McCormick
McKinnon	McLellan (Edmonton Northwest/Nord-Ouest)
McTeague	McWhinney
Meredith	Mifflin
Mills (Broadview—Greenwood)	Mills (Red Deer)
Minna	Mitchell
Murphy	Nault
O'Brien (London—Middlesex)	O'Reilly
Pagtakhan	Paradis
Parrish	Patry
Peric	Peterson
Pettigrew	Phinney
Pickard (Essex—Kent)	Pillitteri
Proud	Ramsay
Reed	Regan
Richardson	Rideout
Ringma	Ringuette-Maltais
Robichaud	Rock
Schmidt	Scott (Fredericton—York—Sunbury)
Scott (Skeena)	Serré
Sheridan	Silye
Simmons	Speaker
Speller	St. Denis
Steckle	Stewart (Northumberland)
Strahl	Szabo
Telegdi	Terrana
Torsney	Ur
Vanclief	Verran
Volpe	Walker
Wappel	Whelan
White (Fraser Valley West/Ouest)	Williams
Wood	Zed—146

PAIRED MEMBERS

Adams	Asselin
Bakopanos	Barnes
Bergeron	Bertrand
Clancy	Dalphond-Guiral
Daviault	Dubé
Graham	Lefebvre
Paré	Richardson

The Deputy Speaker: I declare Motion No. 19 lost.

● (1845)

Mr. Kilger: Mr. Speaker, I believe there would be unanimous consent to apply the result of the vote just taken to Motions Nos. 33, 35, 44 and 46.

The Deputy Speaker: Do we also include Motion No. 22?

Mr. Kilger: Mr. Speaker, the result of the vote also applies to Motion No. 22.

[*English*]

The Deputy Speaker: Is there unanimous consent?

Some hon. members: Agreed.

[*Editor's Note: See list under Division No. 321.*]

The Deputy Speaker: I declare Motions Nos. 22, 33, 35, and 44 defeated. The next question is on Motion No. 128.

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

[*Translation*]

Mr. Laurin: Mr. Speaker, members of the Bloc will vote yes.

[*English*]

Mr. Strahl: Mr. Speaker, Reform Party members present will vote no on this motion.

Mr. Solomon: Mr. Speaker, NDP members in the House this evening will vote no on this motion.

[*Translation*]

(The House divided on Motion No. 128, which was agreed to on the following division:)

(*Division No. 323*)

YEAS

Members

Anderson	Arseneault
Assad	Assadourian
Augustine	Bélair
Bélisle	Bellehumeur
Bellemare	Bertrand
Bethel	Bevilacqua
Bodnar	Bonin
Brien	Brown (Oakville—Milton)
Bryden	Caccia
Calder	Cannis
Canuel	Chamberlain

Chan
Clancy
Collenette
Comuzzi
Cowling
Crête
Cullen
Debien
Dhaliwal
Dromisky
Duhamel
Dupuy
Fillion
Fontana
Gagnon (Québec)
Gerrard
Godin
Guay
Harb
Hickey
Hubbard
Irwin
Jacob
Keyes
Kirkby
Kraft Sloan
Langlois
Laurin
Lee
Lincoln
Malhi
Marchi
Massé
McKinnon
McTeague
Mercier
Mills (Broadview—Greenwood)
Mitchell
Nault
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Picard (Drummond)
Pillitteri
Proud
Regan
Rideout
Robichaud
Rock
Scott (Fredericton—York—Sunbury)
Sheridan
Speller
Steckle
Szabo
Terrana
Tremblay (Lac-Saint-Jean)
Ur
Venne
Volpe
Wappel
Wood

Chrétien (Frontenac)
Cohen
Collins
Copps
Crawford
Culbert
de Savoye
DeVillers
Discepola
Duceppe
Dumas
Fewchuk
Flis
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gallaway
Godfrey
Guarnieri
Guimond
Harvard
Hopkins
Ianno
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Landry
Lastewka
Lavigne (Verdun—Saint-Paul)
Leroux (Shefford)
Loney
Marchand
Marleau
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Minna
Murphy
Nunez
O'Reilly
Paradis
Patry
Peterson
Phinney
Pickard (Essex—Kent)
Pomerleau
Reed
Richardson
Ringuette-Maltais
Rocheleau
Sauvageau
Serré
Simmons
St. Denis
Stewart (Northumberland)
Telegdi
Torsney
Tremblay (Rimouski—Témiscouata)
Vanclief
Verran
Walker
Whelan
Zed—148

NAYS

Members

Ablonczy
Benoit
Breitkreuz (Yellowhead)
Cummins
Duncan
Frazer
Grubel
Hanrahan

Althouse
Blaikie
Breitkreuz (Yorkton—Melville)
de Jong
Epp
Grey (Beaver River)
Hanger
Harper (Simcoe Centre)

Hill (Macleod)
Johnston
McLaughlin
Mills (Red Deer)
Riis
Robinson
Scott (Skeena)
Solomon
Strahl
Williams—35

Hill (Prince George—Peace River)
Martin (Esquimalt—Juan de Fuca)
Meredith
Ramsay
Ringma
Schmidt
Silye
Speaker
White (Fraser Valley West/Ouest)

PAIRED MEMBERS

Nil/aucun

The Deputy Speaker: I declare Motion No. 128 carried.

[*English*]

Hon. David Anderson (Minister of Transport, Lib.) moved that the bill, as amended, be concurred in.

Mr. Kilger: Mr. Speaker, if the House would agree I would propose that you seek unanimous consent that members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting yea.

[*Translation*]

Mr. Laurin: Mr. Speaker, members of the Bloc will vote no.

[*English*]

Mr. Strahl: Mr. Speaker, it is a pleasure for Reform Party members present to vote yes to get this over with.

Mr. Solomon: Mr. Speaker, NDP members in the House vote no on this motion.

[*Translation*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 324*)

YEAS

Members

Ablonczy
Arseneault
Assadourian
Bélair
Benoit
Bethel
Bodnar
Breitkreuz (Yellowhead)
Brown (Oakville—Milton)
Caccia
Cannis
Chan
Cohen
Collins
Copps
Crawford
Cullen
DeVillers
Discepola
Duhamel
Dupuy
Fewchuk
Fontana
Gagnon (Bonaventure—Îles-de-la-Madeleine)
Gerrard
Grey (Beaver River)
Guarnieri

Anderson
Assad
Augustine
Bellemare
Bertrand
Bevilacqua
Bonin
Breitkreuz (Yorkton—Melville)
Bryden
Calder
Chamberlain
Clancy
Collenette
Comuzzi
Cowling
Culbert
Cummins
Dhaliwal
Dromisky
Duncan
Epp
Flis
Frazer
Gallaway
Godfrey
Grubel
Hanger

Hanrahan
Harper (Simcoe Centre)
Hickey
Hill (Prince George—Peace River)
Hubbard
Irwin
Johnston
Keyes
Kirkby
Kraft Sloan
Lavigne (Verdun—Saint-Paul)
Lincoln
Malhi
Marleau
Massé
McKinnon
McTeague
Meredith
Mills (Broadview—Greenwood)
Minna
Murphy
O'Brien (London—Middlesex)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Essex—Kent)
Proud
Reed
Richardson
Ringma
Robichaud
Schmidt
Scott (Skeena)
Sheridan
Simmons
Speller
Steckle
Strahl
Telegdi
Torsney
Vanclief
Volpe
Wappel
White (Fraser Valley West/Ouest)
Wood
Harb
Harvard
Hill (Macleod)
Hopkins
Ianno
Jackson
Karygiannis
Kilger (Stormont—Dundas)
Knutson
Lastewka
Lee
Loney
Marchi
Martin (Esquimalt—Juan de Fuca)
McCormick
McLellan (Edmonton Northwest/Nord-Ouest)
McWhinney
Mifflin
Mills (Red Deer)
Mitchell
Nault
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Ramsay
Regan
Rideout
Ringuette-Maltais
Rock
Scott (Fredericton—York—Sunbury)
Serré
Silye
Speaker
St. Denis
Stewart (Northumberland)
Szabo
Terrana
Ur
Verran
Walker
Whelan
Williams
Zed—146

NAYS

Members

Althouse
Bellehumeur
Brien
Chrétien (Frontenac)
de Jong
Debien
Dumas
Gagnon (Québec)
Guay
Jacob
Langlois
Leroux (Shefford)
McLaughlin
Nunez
Pomerleau
Robinson
Sauvageau
Tremblay (Lac-Saint-Jean)
Venne—37
Bélisle
Blaikie
Canuel
Crête
de Savoye
Duceppe
Fillion
Godin
Guimond
Landry
Laurin
Marchand
Mercier
Picard (Drummond)
Riis
Rocheleau
Solomon
Tremblay (Rimouski—Témiscouata)

PAIRED MEMBERS

Adams
Bakopanos
Bergeron
Clancy
Daviault
Graham
Paré
Asselin
Barnes
Bertrand
Dalphond-Guiral
Dubé
Lefebvre
Richardson

The Deputy Speaker: I declare the motion carried.

When shall the bill be read a second time? At the next sitting of the House.

[*English*]

The Deputy Speaker: The House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

● (1850)

[*English*]

CANADA LABOUR CODE

Mr. Dale Johnston (Wetaskiwin, Ref.) moved:

That, in the opinion of this House, the government should amend Section 108.1 of the Canada Labour Code to include a provision that would permit employees to vote on any restructuring offer put forward by their employer.

He said: Mr. Speaker, I would ask for the unanimous consent of the House to allow me to split my time with the hon. member for Prince George—Peace River.

The Deputy Speaker: Is there consent for the member to split his time?

Some hon. members: Agreed.

Mr. Johnston: Mr. Speaker, I am pleased to move Motion No. 308 today, which reads as follows:

That, in the opinion of the House, the government should amend Section 108.1 of the Canada Labour Code to include a provision that would permit employees to vote on any restructuring offer put forward by their employer.

This motion came about because of the Canadian Airlines crisis late last year. The House will recall that on November 1 the president of Canadian Airlines International announced that his company would run out of money by the beginning of the year. To save the company and the jobs of 16,000 employees, the company developed a last hope restructuring plan that required $70 million in wage rollbacks from the unions, as well as major concessions from creditors and the American parent, AMR Corporation.

Before the November 26 deadline, four of the six unions agreed to participate in this plan. The holdouts, however, were the Canadian Auto Workers, which represented 3,700 ticket agents, and the Canadian Union of Public Employees, which represented 2,600 flight attendants. The CUPE representative was obviously swayed by CAW's attempt to negotiate a government bailout, so

both refused to allow their membership to vote directly on Benson's plan.

The union members held rallies demanding the right to vote, but their cries fell on the deaf ears of their union bosses, who held out, waiting for the government to come across with moneys and/or concessions.

History has shown that in situations like this the federal government usually comes in like a white knight and offers a taxpayer-funded bailout. This time, having just awarded Bombardier a sweet $87 million interest free loan, the Liberals sensed, and quite rightly so, that there would be no public support for such a bailout.

The president of the CAW and CUPE were not employees of Canadian Airlines so their jobs were not on the line. With no real personal stake in the fate of Canadian Airlines, they were willing to take the risk of the company's bankruptcy and the loss of 16,000 jobs. If the airline collapsed, at least they had served notice to the government that they were ready to play hard ball and this would ultimately benefit future negotiations involving much larger companies in which they represent the unions.

The employees had a democratic right to be heard. Throughout the crisis the Reform Party called on the government to ensure that the democratic rights of the workers were upheld. Time and again government ministers said: ''Yes, but the rules do not allow it''.

The Reform Party opposes bailouts, but it also opposes inaction. The government did have an option which would not have cost the taxpayers a cent.

The member for Calgary Southwest, the leader of the Reform Party, asked the Minister of Labour on November 28 if the government would ''be willing to introduce forthwith an amendment authorizing the Minister of Labour to direct an employee vote on restructuring offers such as that being put forward by Canadian Airlines to its own employees''. To this query the labour minister replied: ''It is up to management and the unions to decide and find the necessary procedure to have a vote on this matter''.

• (1855)

The human resources development committee was meeting that same day to review the government's proposed amendments to the Canada Labour Code known as Bill C-66. I moved a motion in that committee that read: ''Due to the critical situation at Canadian Airlines, this committee undertake to enter an immediate review of section 108.1 of the Canada Labour Code to permit employees to vote on any restructuring offer put forth by a company''. The motion was defeated by the government MPs on the committee and by their friends in the official opposition. In fact, the parliamentary secretary went so far as to say that even considering giving employees the right to vote on any proposal was in his words ''a waste of the committee's time''.

This was the opportune time to open the issue for discussion and come up with a permanent solution so that workers would never again find themselves in this predicament. By its actions the government told the 6,300 employees in those two unions, and unionized workers in all federally regulated industries, that their government was not prepared to waste its time ensuring that their democratic rights were upheld.

I believe that there is a fundamental problem with the Canada Labour Code when employees are not given an opportunity to save their own company. Employees deserve that right and the Reform Party stands firmly behind their right to an open, democratic process. The government was not swayed by the Canadian Airlines' employees who pleaded for the right to vote because they needed those jobs and feared that prolonged uncertainty would irreparably damage the company. The government got lucky when the flight attendants came on side.

Now with five of the six unions on side, Canadian Airlines' fate was in the hands of CAW President Buzz Hargrove who steadfastly refused to allow the 3,700 ticket agents to voice their opinion.

Christmas was coming, a spring election was looming and Canadian Airlines was facing imminent disaster. The Government of Canada refused to act until the 11th hour. After telling Canadians for weeks that the rules did not permit government intervention, the Minister of Labour suddenly invoked an obscure clause in the Canada Labour Code to order a vote. This is not a new provision in the Canada Labour Code. It was there all along.

I want to make it clear that what we are advocating is giving employees the right to vote on their futures. We would not want to be so presumptuous as to predict the outcome of such a vote. All Reform asked in this case, and similar situations that are bound to arise in the future, was the assurance that each employee be given the option of voting on restructuring proposals. Did the government initiate action that would benefit all workers? Not at all. It was too afraid to make any meaningful changes. This is yet another quick fix, another one time only solution, more crisis management.

Once again the government proves it lacks vision. The changing workplace is more than just a name of another government task force. It is reality and it is time that the government shed its out of date approach to industrial relations. Workers, employers and union reps all need a level playing field. They all have the right to know where they stand and that they can rely on the Canada Labour Code to promote and protect their democratic rights.

Mr. Speaker, you have often heard me say in the House that the Reform Party recognizes the rights of workers to organize democratically, to bargain collectively and to strike peacefully. We stand by that statement. But what we are also seeking for unionized workers is the right to be counted when there is a restructuring plan on the table that determines whether or not their company stays in business, and ultimately whether they would continue to be employed in that enterprise or seek jobs elsewhere.

● (1900)

Some employees, when faced with the proposition of a company being on shaky financial ground, may say it is time to cut their losses and seek greener and more secure pastures. That should be their decision. It should not be part of a power struggle between union bosses who have little or no personal stake in the outcome.

As it turned out in this case the 2,600 CUPE employees voted in favour of the proposal by 87 per cent. Some 81 per cent of the 3,700 CAW workers voted to accept the company's restructuring plan. At least in the end the decision was the employees to make.

As legislators it is our duty to ensure that all employees who fall under the jurisdiction of the Canada Labour Code are assured this democratic right.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, it is a pleasure for me to rise this evening to briefly address Motion No. 308 in the name of my hon. colleague from Wetaskiwin which states:

> That, in the opinion of this House, the government should amend section 108.1 of the Canada Labour Code to include a provision that would permit employees to vote on any restructuring offer put forward by their employer.

This is a very worthwhile motion. If it leads to the necessary amendment and is passed, it would certainly be a step in the right direction of ensuring that democracy truly rules in all corporations that are restructuring.

It is a privilege for me to set the record straight. One thing of concern to a number of Reform members and Reform supporters across the land was the virtual exclusion by the national media of Reform bringing forward the issue when the Canadian Airlines story was foremost in the media and in the minds of many people early in the winter.

If we were to check *Hansard* we would see a series of questions, statements and speeches were made in this place on behalf of Canadian Airlines employees by Reform members of Parliament. We led the story in the House of Commons day after day. However, because the national media did not pick up on our involvement in the story, we were continuously asked why we were ignoring it when in fact we were not.

I thank my hon. colleague from Wetaskiwin for putting forward the motion. It allows me to briefly set the record straight.

As the member so eloquently outlined during his remarks, two primary issues prompted him to bring forward the motion. The first was the fundamental issue of a level playing field. We were the first voices to push for the removal of the federal fuel tax on aviation fuels. This would allow Canadian Airlines and all other Canadian air carriers to compete internationally on a level playing field with their foreign competitors. I certainly give credit to my hon. colleague from Kootenay West—Revelstoke for pushing that in the House of Commons before anyone else had brought the issue to the forefront.

● (1905)

The primary focus of the motion is to ensure all Canadian employees of companies and corporations have the opportunity to vote when the future of the company and thus the existence of their jobs are at stake. As my hon. colleague from Wetaskiwin stated so well, we have to ensure that true democracy is paramount.

That brings us to the whole issue of democratic reform. In the few minutes I have left I would like to speak to the need for democratic reform, a fundamental issue that attracted me to the Reform Party of Canada.

If there is anyone who knows how badly we are in need of democratic reform, it is the MPs who speak on a daily basis, not just Reform ones. We hear cries for democratic reform and true free votes in the House of Commons from other political parties.

I am reminded of what led us to this point. A couple of members of the Conservative Party were trying to accurately represent their constituents on an issue as important as the GST. They were thrown out of the Progressive Conservative Party.

I well remember as a farmer watching the news on a farm outside Fort St. John and seeing the arrogance of then Prime Minister Brian Mulroney, a political leader whom we had the good fortune or otherwise to witness yesterday on national television. He was bragging to Canadian people that he had thrown those two back-bench members out of his party because they dared to vote against his party. I thought there should have been a rising sentiment from the Canadian public expressing that it had simply had enough. Recently we saw the same thing happen with the Liberal Party when the member for York South—Weston voted against that party.

There is a fundamental need for democratic reform, for true free votes in this place. There is a need for recall of members who do not accurately represent their constituents.

Private member's Bill C-210 of my hon. colleague from Beaver River would accomplish that if it were supported by the government side of the House. The old parties are resistant to these types of democratic changes, although I hasten to add not all of their members are. Many members recognize a growing awareness among the public of a need for democratic reform of government institutions.

The Reform Party and I have pushed for referendums on subjects such as capital punishment. We will continue to expound upon the use of referendums, national binding referendums for Canadian people to direct this place to enact laws supported by the majority.

I would be remiss in the minute or so remaining if I did not speak about a certain democratic reform that has been part of the Reform Party's blue book of policies and principles from the very beginning, the support of Reformers of fixed election dates.

The people of Canada will have the opportunity to voice their concern about that plank and a host of others as we move into the federal election that is expected to be called as early as 11 days from now. I suspect Canadians will be well aware of that plank in our platform. We believe there should be four-year terms so that everyone knows when an election will be called.

Those are some of the democratic changes the Reform Party of Canada and I support. We are looking forward to the next campaign, as we have the last two campaigns, to present to Canadian voters a clear alternative for democratic renewal and democratic reform of government institutions.

• (1910)

I would be remiss if I did not mention the other place and the need for a triple E Senate. Unlike some parties we do not believe in the abolition of the upper chamber. We believe in reforming it to be a true triple E Senate: elected, equal and effective.

I will close by saying that I support my hon. colleague for Wetaskiwin in bringing forward Motion No. 308. It gave me the opportunity to speak briefly about the need for democratic reforms not only of the Canada Labour Code but of many other things.

[*Translation*]

Mr. Stéphan Tremblay (Lac-Saint-Jean): Mr. Speaker, first of all, I would like to say that when I was nominated recently in my riding, between 130 and 135 people came to the meeting. I would like to start by thanking these people who may be listening at home. It was March 25, which happened to be the first anniversary of my election win last year.

This year has been filled with a lot of emotion, a lot of experience and a lot of learning. As I look back, I think I can be satisfied with this first year. I think the record for the first year is positive. From the outset, learning the ropes was not easy, but I managed to adjust. I even initiated a number of projects in my riding and I am pleased with the results. I hope I have a chance to keep working on these projects.

As I said, since I entered politics, I often saw things that were rather extraordinary. This afternoon I was listening to the whip for the Reform Party who said that the third party option was probably the one with the best prospects, in that it was more attractive to the rest of Canada and Quebec.

When I look at the motion presented by the Reform Party today, I am afraid I do not quite agree. Clearly, the Reform Party is on the far right, while we tend to be more to the left or the centre.

In any case, let me explain this motion on labour disputes. We are of course against the motion, and I will tell you why. If I may summarize the motion, basically it concerns the unions, labour disputes and relations between employers and the unions.

Unions were originally formed by groups of employees who got together to fight for better working conditions and to have more clout when facing their employer. That is pretty clear.

The motion by the Reform Party suggests that in certain labour disputes the Minister of Labour would have his say, this in any dispute where we have the employer's position on one side and the employees' position on the other side, represented by the unions. In many cases these labour disputes can go on for some time. And that is because there is a disagreement.

In this motion, the Reform Party suggests giving more power to the minister to intervene in any labour dispute across the country. He could come and give his opinion and tell the parties to stop. To the extent that employees would be able to vote in favour of an agreement without going through the unions.

• (1915)

We believe strongly that the minister's powers must not be increased, but rather decreased. The debate of a few years ago gave rise to the Sims' report. I will read a few extracts.

On page 167, the Sims report discusses the administration of the Canada Labour Code. It provides, and I quote: ''Management and labour run labour relations, not government''.

The authors of the report continue a few pages along with the recommendation that: ''The Minister's current powers under sections 57(5), 59, 71, 72 to 82, 105 and 108.1(1) should be vested with (or amenable to delegation to) the Head of the FMCS''. This is completely contrary to today's motion.

Secondly, the report recommends: ''The section 97(3) requirement for Ministerial consent to file complaints to the Board should be repealed''.

We must remember that, after people were brought together to consider the situation, they concluded that the minister should have fewer powers. Today, however, the Reform motion is proposing to give the minister more power. It is like putting a bandaid on a sore. Could you listen, please.

The Reform Party has a lot of supporters in western Canada. We will recall the recent labour dispute between the employees and management of Canadian airlines. There were a number of unions in Canadian, including one that turned a deaf ear to management proposals. That extended the dispute, because the unions representing the employees thought that was the best thing to do.

So the Reform Party, a party of the right, hoping perhaps to come up with some votes, is proposing the motion we are considering this evening.

Furthermore, this motion is pro-management, because the minister could always go over the heads of the unions to find out and interpret for himself the intent of a firm's employees.

So the unions' powers are being cut, and, what is more, they are saying the minister should have the power to circumvent the powers of the union. Yet these unions were born of a need. Today they are saying there is no longer a need.

So even though this motion is not votable, we oppose it, as the bias in favour of the employers is too strong. I have nothing against them and I also do not want to favour unions over management. I am trying to favour a good relationship between the parties, but this evening's motion smells too much like an election ploy. However, we will see what our colleagues have to say.

That concludes my remarks on motion M-308.

[*English*]

Mr. George Proud (Parliamentary Secretary to Minister of Labour, Lib.): Mr. Speaker, it is a pleasure for me to address the motion put forward by the member for Wetaskiwin.

Canadians have many things of which to be proud and our labour relations history is just one of those things. In my short time as Parliamentary Secretary to the Minister of Labour I have seen many aspects of our labour relations that are truly quite impressive.

We have achieved a system that balances the rights of workers and employers and that recognizes both the importance of labour and the right of management to conduct business.

● (1920)

Keeping this balance takes adjustment as times and needs change. That is what the government is doing. Last week, with no thanks to the third party, of course, Bill C-66 passed third reading. The amendments contained in Bill C-66 will improve the Canada Labour Code far more than what my colleague opposite is proposing in his motion.

I will be talking about those shortly, but first I want to address Motion No. 308 and explain why something that sounds so sensible at face value in fact threatens the very delicate balance on which Canada's industrial stability is based. Motion No. 308 proposes that employees be permitted to vote on any restructuring offer put forward by the employer.

Technically, of course, they already have that right. A union can always present a restructuring offer to its members. What the member for Wetaskiwin seems to find objectionable is that this vote is called by the union rather than by some other body.

He may mean from the literal words of the motion, that even non-unionized employees will have the right to reject restructuring packages. We must presume that Motion No. 308 is meant to encourage governments to over-ride unions and bring restructuring packages to a vote no matter how much the union may object to the package.

In last December's crisis at Canadian Airlines, this may have seemed like a power that government needs. However, as the minister showed, there already exists a similar power. Granted, it is not as high-handed as what we are presented with here today but in fact the Canada Labour Code has several provisions that already allow the Minister of Labour to intervene in exceptional circumstances. Under section 105, the minister can appoint a mediator. Under section 106, the minister can order an inquiry. Under section 107, the minister can secure industrial peace by referring a question to the Canada Labour Relations Board.

[*Translation*]

Last December, five of the six unions representing Canadian International employees decided to accept a restructuring offer put forward by the employer.

The sixth union, the Canadian Auto Workers, was not in agreement and, for a few tense days, there was fear that their opposition would cost 16,000 workers their jobs.

[*English*]

Members of the House may remember that it was section 107 in Part I of the code that the Minister of Labour invoked but later withdrew when the Canadian Auto Workers and Canadian Airlines reached a deal. It just goes to show that even in those exceptional circumstances, dramatic measures like these may not be necessary.

Muddying the collective bargaining waters with arbitrary government actions jeopardizes the very stability of the system we should prize. Used too often, it says that a collective agreement, a signed agreement made by both sides in good faith, is worthless if

a company can convince the Minister of Labour that it should be over-ridden.

Such an atmosphere would certainly be corrosive for labour peace. If a company could freely ignore a union and, in effect, renegotiate terms with individual workers, then we have made a mockery of the collective bargaining system.

We have created a situation where powerful companies can threaten workers with lay-offs, where they can scare workers into shredding the agreement their unions bargained very hard for. If the bargaining agent is no longer the exclusive bargaining authority, if the union duly elected by workers is no longer allowed to represent those workers, then we have put an end to a system that has worked so well for so long.

I am sure that the hon. member across the way would not want to see that happen. Moreover, we have added the complication by mixing apples and oranges. Section 108(1) talks about unions being asked to take an employer's final offer back to union members. That is a powerful tool already, but today's motion would drastically increase that power by tossing in the unrelated question of restructuring packages. Surely it belongs in an act dealing with restructuring rather than in an act dealing with collective bargaining.

Just how exactly does the hon. member propose to define restructuring proposals? Will it be a sincere attempt to reorganize the company's structure and function or is it simply a way to claw back wages and benefits gained through collective bargaining?

• (1925)

That is not to suggest in any way that the Canada Labour Code is perfect. Unfortunately, very few things in this world are so. However, Bill C-66 will improve and modernize the Canada Labour Code so that it continues to ensure stability, fairness and balance.

Bill C-66 is heavily influenced, as was said earlier, by the Sims task force. The Sims task force travelled the country, listening to the best ideas from labour, business and other interested parties.

When the subject of section 108.1 came up, all unions wanted it repealed. Employers wanted it modified to require a last offer vote on the employees' request. As the title of the Sims report says, it was seeking a balance. It saw no convincing evidence to change section 108.1 either way. What the task force did do was to suggest a broad range of amendments which would greatly improve and modernize the Canada Labour Code.

Time does not allow me to go into Bill C-66 in any detail, so I will simply pick one aspect of it. Bill C-66 speeds up the bargaining cycle, improves flexibility and allows disputes to be settled more quickly. It does this by extending the notice to bargain period.

Bill C-66 also replaces the two-stage conciliation process with a single 60-day stage.

The code will now expressly recognize the right of parties to agree to submit collective bargaining disputes to any kind of binding settlement.

There is much more to Bill C-66, but I have given the House a taste of how carefully considered amendments can do more good than the single heedless motion we have today.

I urge the House to soundly reject Motion No. 308. The motion would tilt the balance of power too far toward one side of the collective bargaining equation. It would encourage the reckless use of a provision of the code that should be and has been rarely used. It is in sum a hasty reaction to a problem that Canada simply does not have.

Just as the CAW and Canadian Airlines resolved their differences, a stable labour environment encourages even the bitterest of opponents to trust each other's word.

Canada's labour relations environment is too valuable to toss away for the sake of a quick political point.

Mr. Johnston: Mr. Speaker, I listened with extreme interest to my colleagues, and certainly to the member of the Bloc who alleges that the Reform Party is an extreme right wing party. That is laughable. These things have to be looked at in degrees. To my colleague from the Bloc, perhaps Karl Marx would be one of those extreme right wing people.

I do not see that there is any conflict here as far as the operation of unions is concerned. What we are talking about are democratic rights. The rank and file members of both the CAW and CUPE wanted an opportunity to vote on their employer's restructuring proposal.

Ultimately, it is in the best interests of Canadian travellers to have an option when they fly. There are beginning to be more competitors on the scene, but for a considerable length of time there have been two major air carriers in Canada, which is a situation that I want to continue. I would like there to be competition between the two airlines. I would not want to have the situation where we would not have a choice and would be compelled to run with one air carrier.

My Bloc colleague talked about too much discretionary power being in the hands of the minister. I agree with him. He is right on.

• (1930)

However my motion does not put extra discretionary power into the hands of the minister. If he had been listening to what I had said during my opening remarks, he would have learned that I object to the way the minister handles or addresses these situations on a piecemeal basis.

We are asking for legislation that would actually put labour and management on an even footing so they would know what the rules are when entering the game. Management could put up a restructuring proposal and if there is nothing to compel the rank and file people from supporting the restructuring proposal they could vote against it.

The way it is now they do not even have the option to reject the offer. The parliamentary secretary says we have to assume that it will be abused by management. We are talking about 700,000 people in industry and services regulated by the federal government. It is not an across the country widespread labour management issue.

We should not assume, as the parliamentary secretary seems to have done, that management will abuse it and every time it wants to roll back wages it will put a restructuring proposal to its membership. Let us for the briefest of moments go along with the parliamentary secretary and say some management people put forward a proposal like that, a proposal that was not a bona fide restructuring proposal. The membership would have the opportunity to vote against it.

Mr. Hill (Prince George—Peace River): And reject it.

Mr. Johnston: And reject it. The parliamentary secretary is assuming members would have to vote in favour of the restructuring proposal. That is nonsense.

In summary, although the motion is not votable and therefore not binding, it seems rather fruitless to address the issue. On the other hand I appreciated the opportunity to bring these thoughts to the House of Commons. I thank the members, particularly my colleague for Prince George—Peace River, who joined in the debate on short notice.

I think there is room for improvement in this area. Not only the travelling public but the 16,000 employees with Canadian Airlines will succeed and thrive. I very much hope they do. This would be of benefit not only to the users and the employees of the airline but to the Canadian economy in general.

The Deputy Speaker: There being no further members rising for debate and the motion not being designated a votable item, the time provided for consideration of Private Members' Business has now expired and the order is dropped from the Order Paper.

ADJOURNMENT PROCEEDINGS

[*Translation*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

SOCIAL HOUSING

Mr. Gilbert Fillion (Chicoutimi, BQ): Mr. Speaker, this evening, I would like to come back to the question I asked recently concerning social housing.

At that time, I asked the Minister of Public Works and Government Services about the progress of negotiations now under way between the federal government and the Government of Quebec concerning the role she had in mind for Quebec with respect to social housing.

The presence of the federal government in housing, an area under provincial jurisdiction, means that for 30 years there have been two administrative structures, that of the federal government and that of the Province of Quebec.

• (1935)

This situation naturally leads to unnecessary and very costly overlap. We also note that, of the $2 billion spent annually by the federal government on housing, Quebec receives only 19 per cent, a percentage much lower than the percentage of households in need of social housing in Quebec and also very much lower than Quebec's demographic weight.

This has been a matter of very great importance for Quebec since the federal government announced these negotiations. What is at stake in this transfer is the recovery of the responsibilities now assumed by the federal government over Quebec's territory. Overlapping jurisdictions and responsibilities would thus be eliminated and the effectiveness of government intervention in the housing sector would be improved.

If I may, Mr. Speaker, I will tell you exactly what Quebec is asking for in these negotiations. The one thing Quebec does not want is to be reduced to dispensing services for the Canada Mortgage and Housing Corporation. Quebec wants to recover full responsibility for social housing, which is now assumed by the federal government.

It also wants to obtain fair and equitable financial compensation that will cover the shortfall in federal spending in the social housing sector in Quebec over the past several years and that will ensure continuity of funding in the long term, in the form of the tax points that go with these transfers.

In return, the Government of Quebec would be given responsibility, through a service agreement with the federal government, for managing the present activities of the Canada Mortgage and Housing Corporation, be they mortgage insurance, mortgage backed securities guarantees, social housing research or statistics.

There could then be an agreement between the two levels of government, with the Government of Quebec, through the Société d'habitation du Québec, becoming the single service point and sole

stakeholder for citizens and partners with respect to all housing activities throughout Quebec.

Quebec should therefore be made the sole point of service for social housing. Later on, with the help of people in the sector and through a partnership with the community, RCMs and community organizations, we could certainly provide better service to the people who must take advantage of these measures. The people who must take advantage of them are those in need, the disadvantaged. I therefore submit this point of view for your attention.

[*English*]

Mr. John Harvard (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Mr. Speaker, I am pleased to respond further to the question raised by my colleague regarding the important negotiations between the federal government and the provinces concerning housing.

● (1940)

The federal government has offered to the provinces and territories the opportunity to take over the management of the existing federal social housing resources, with the exception of housing in Indian reserves, provided federal subsidies continue to be used for housing and are targeted to low income households.

These negotiations are aimed at simplifying the administration of social housing by eliminating overlap and duplication and by providing clients one-stop shopping.

We have already signed agreements with some provinces, including Saskatchewan and New Brunswick, and will be signing with other provinces shortly. Negotiations are continuing with the remaining provinces and territories.

Let me assure my colleague that national principles and a rigorous accountability framework will govern the agreements and provinces and territories will have to agree and respect these agreements. The federal government is not withdrawing the financial support it provides to low income Canadians with housing needs. We will continue to meet our financial obligations related to the existing social housing portfolio which is currently about $1.9 billion a year.

The Deputy Speaker: Before the hon. member for Davenport begins his remarks, I understand that there has been some misunderstanding and the parliamentary secretary is not here. The hon. member has an option. He can either speak today or he may wish to arrange another time. If he prefers we can do the statement and possibly the parliamentary secretary could give a reply on another occasion. I would appreciate the advice of the hon. member.

Mr. Caccia: Mr. Speaker, I certainly appreciate your offer. I would be glad to accept your option to proceed with the statement now if it is all right with you.

The Deputy Speaker: Very well.

THE ENVIRONMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, on March 3 I asked the Minister of Natural Resources, in connection with the issue of climate change, what she plans to do to meet both our carbon dioxide reduction commitments under the climate change convention signed in Rio and the carbon dioxide reductions promised in the red book.

It is acknowledged that voluntary efforts to control carbon dioxide emissions are insufficient and that Canada, unfortunately, will not stabilize emissions by the year 2000 or meet the red book commitment to reduce emissions 20 per cent by the year 2005.

We have a long way to go and the climate change problem is getting more and more serious. For example, the Mackenzie valley impact study completed in 1996 measured the impact of climate change on that valley. It predicts lower water levels in northern lakes, increased thawing of the permafrost and the likelihood of increased forest fires.

These changes have not gone unnoticed by Canadians. A recent poll by Inside Canada Research found the vast majority of Canadians surveyed were increasingly concerned about the government's inability to reduce carbon dioxide emissions and to meet its international commitments to stabilize greenhouse gases at 1990 levels by the year 2000.

Therefore, to resolve this problem, a growing international consensus seems to be emerging. It is felt that binding timelines are needed to ensure carbon dioxide emission reductions be achieved in future.

Not only has the voluntary approach to carbon dioxide reductions proven to be insufficient, the Department of Natural Resources now estimates that we will be 9 per cent above stabilization by the year 2000. While emissions continue to grow, we make it more difficult to resolve them with new tax incentives for the production of oil from tar sands, an extraction, as members know, that produces 10 times more carbon dioxide per comparable unit of energy than crude oil from conventional light sources.

What are the answers? They are not easy but they are necessary. First energy efficiency and conservation programs need to be implemented. Well researched programs were released last fall which outline the benefits gained through energy efficient retrofitting of commercial, institutional and residential buildings. Retrofitting is a labour intensive enterprise that pays good dividends by creating more jobs per dollar invested than conventional energy production. Consequently, this makes Canadian industries more competitive.

Second, our large reserves of natural gas allow Canada to shift gradually to natural gas which emits less carbon dioxide than petroleum.

Finally, we have renewable sources of energy which are badly in need of being given a further boost by government. Over time renewable sources of energy and natural gas could become the backbone of the energy industry of the future.

Against this background I ask the parliamentary secretary whether the minister intends to take new measures to reduce carbon dioxide emissions in Canada. If so, what will they be? On the international scene will Canada move to support the European Union's position, which now calls for a greenhouse gas reduction of 15 per cent by the year 2010?

I appreciate the fact the parliamentary secretary might wish to reply tomorrow.

The Deputy Speaker: I understand the hon. Parliamentary Secretary to the Minister of Public Works and Government Services will give the reply.

Mr. John Harvard (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Mr. Speaker, I thank the hon. member for providing this opportunity to further explain the approach and actions the federal government is employing to achieve further CO2 reductions.

First, with regard to approach the government is committed to working with provincial governments and major stakeholders to achieve these reductions.

The government is also committed to employing those policy instruments that can offer the lowest cost and most flexible methods of achieving further reductions. This includes energy efficiency regulations, voluntary initiatives, technological support, public education and tax changes to encourage investments in energy efficiency and renewable energy.

Actions to date under the national action program on climate change have helped to lower projected emissions from 13 per cent to 8 per cent above 1990 levels by the year 2000.

With respect to specific actions the federal government announced 45 new or expanded initiatives in December 1996 to help lower emissions in most sectors in our society.

Among other initiatives there is a strengthened focus on renewable energy and an increased support for green power pilot projects to supply electricity to federal departments.

National climate change outreach initiatives seek to engage educators and different stakeholders to develop ways and means of better informing Canadians about climate change.

In the residential sector the federal government will work to adopt and apply the national energy code for houses to federally owned and leased houses, as well as to produce a home energy efficiency rating system for homebuilders, renovators and buyers.

There will also be an expansion of energy efficiency regulations to include a number of energy using products in the commercial, residential and industrial sectors.

Further, the federal government in co-operation with provincial governments and the private sector will be strengthening the voluntary challenge and registry program, VCR.

Meeting our country's commitment on schedule will not be easy. While we are achieving progress through improvements in energy efficiency and energy substitution, this progress is being offset by our increased population and strong economic growth.

In spite of these challenges I emphasize that Canada has been making progress on reductions. Moreover, the new and expanded initiatives promise further carbon dioxide reductions. We have the initiatives and momentum in place for further progress.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. The House is adjourned until tomorrow at 2 p.m.

(The House adjourned at 7.47 p.m.)

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